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HISTORY OF ENGLAND

DURING THE

REIGN OF GEORGE THE THIRD.

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VOLUME I.





# HISTORY OF ENGLAND

DURING THE

## REIGN OF GEORGE THE THIRD.

BY

JOHN GEORGE PHILLIMORE.

"Usque adeo res humanas vis abdita quædam  
Conterit, et pulchros fascēs, sævasque securēs  
Proculcare, et ludibrio sibi habere videtur."—LUCRETIVS.

"L'acerbo vero."—LEOPARDI.

### VOLUME I.



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## PREFACE.

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THERE are several remarks in the following pages which make me desirous to state the opinions from which they proceed, and the motives from which they have been written. Truth has been my search. That it has been a successful one I do not presume to assert; but at least I have endeavoured to prevent any hope or fear of a personal nature<sup>1</sup> from having the slightest influence upon my language. I may be blamed, perhaps, for having chosen as the subject of my narrative the events of a period so near our own; that is a charge against which I offer no defence; but having chosen it, was I to be guilty (as, if I had suppressed, or obscured, or varied what I believed to be true, I must have been) of a violation of candour and integrity? There may be reasons why history should not be written at all; there can be none why it should be written untruly. "In all other offices of life," says Polybius, "I praise a lover of his friends and of his country; but in writing history I am obliged to divest myself of all other obligations, and to sacrifice them all to the

<sup>1</sup> I shall be well content if the words of Statius to Virgil, in the *Purgatorio*, are applicable to me:—

"Facesti, come quei che va di notte  
Che porta il lume dietro, è a se non giovà  
Ma dopo sè fa le persone dotte."

love of truth." Had I been a Guelph, ought I to have denied the genius of Dante? Had I been a Ghibeline, must I have disputed the capacity of Innocent the Third? Far from me and mine be such pitiful littleness. As, if I had been a Frenchman, I should not have thought it my duty to deny that Henry the Sixth was crowned in Paris; neither, being an Englishman, do I think myself called upon to defend our government of Ireland, the means by which our Indian empire was acquired, or the manner in which till within these few years it has been administered.

Would any court chaplain venture to say, except in a funeral sermon, that George the First and George the Second were faithful husbands and affectionate parents, pure in their lives, elevated in their views, and careful of the welfare of England in preference to that of Hanover?—that the mind of George the Third was refined and liberal?—that he dealt fairly with Mr. Grenville and Lord Rockingham?—that his children were well brought up?—that his mother was spotless, and his wife witty, beautiful, and generous?—that Lord Bute was not a minion raised by court favour to a post where his ignorance, mean understanding, and disregard of English honour, became national calamities?

"Nunc et Myrmidonum proceres Phrygia arma tremiscant,  
Nunc et Tydides et Larissæus Achilles,  
Amnis et Hadriacas retro fugit Aufidus undas." <sup>1</sup>

---

<sup>1</sup> "Say, that at Hector's feet Achilles lies,  
And Diomed from fierce Æneas flies;  
Say, rapid Aufidus, with awful dread  
Runs backward from the sea and hides his head."—DRYDEN.

To condemn me for saying the reverse of this, is to say that Englishmen ought not to write or read the history of their country. Even the Egyptians, however, were allowed to censure their monarchs after their death. "Take care," said the greatest of English rulers to Sir Peter Lely, "that you draw my face as it is, with all its wens and wrinkles." And shall the citizen of a free state—who undertakes, not to delineate the features of an individual, but (following at an immeasurable distance, and with feeble steps to be sure, yet still following, in the path trodden by him who prophetically said his history was for all time) to hold up to others a glass from which the thoughts and passions, the virtues and the vices, the good and evil deeds, the spirit and character, of past generations are reflected, as a lesson to posterity—shrink from assuming the same liberty in behalf of truth? Surely not. Fully convinced that our balanced constitution—that is, a limited monarch, an *hereditary* peerage, and a fairly chosen House of Commons—is better adapted to us, and more likely to promote the good of the commonwealth, than any other form of government, I have not abstained from expressing my admiration for republican energy, or from pointing out the particular evils to which our monarchy, however limited, is inevitably exposed, from the habits of courts, the intrigues of courtiers, the servility of peers,<sup>1</sup> and, above all, from the corruption

<sup>1</sup> "Our birthday nobles' splendid livery."

"Would to God," says Mr. Burke, "the common fault of our peers was too much spirit."



of those who elect and those who are elected to the House of Commons.

*“Nam variæ illudunt pestes.”*

They require incessant vigilance. Grossly and most stupidly do we flatter ourselves, if we suppose our age is free from them; for, whatever we may imagine, the complete triumph of mediocrity, and almost total extinction of taste and genius, are no security against time-servers and hypocrites. Great improvements in machinery, enormous shops, and the most intense study of entomology, are quite consistent with the decay of all public spirit, and entire apathy to the motives that animated the men who gave England her rank among the nations; nor will incessant and boisterous panegyrics on ourselves, and on the worst and coarsest parts of the national character, which are as disgusting to men of refinement as they are captivating to the herd of readers, avert any one calamity we have to apprehend, or remedy one single evil under which we suffer. We may do well to recollect the passage in which Plutarch describes the Athenian pilots—“They gave great names to their ships—they called them Minerva, Neptune, Apollo—but they were cast away like other men.” Nor, if those instructed with the education of youth among us (I am making, I know, an extravagant supposition) were more ignorant of the art of writing than they are, and have been, with few exceptions indeed, for the last forty years, would that, in my opinion, at all justify such a tone of exultation, or in any way improve the future prospects of the

country. "I have lost all the blood in my body," says Dr. Sangrado's dying patient, "and yet do not feel the better for it." If, instead of giving up their time to read, and servilely to repeat, what the Germans have written about the classics, they studied the classics themselves—if they read Livy instead of Niebuhr, and Demosthenes instead of Boeckh—if, instead of cramming their pupils for examinations, bringing every mind to the same dead, tutor's level, and so in nine cases out of ten stunting the intellectual growth of the unhappy boys for ever, they taught them to read Homer, and Virgil, and Cicero, and Euripides, as they were read by Milton and Dryden, by Addison and Barrow, and Atterbury and Fox—England might hope to shake off the sleepy drench which, where gain or physical exertion are not concerned, has so long benumbed her faculties. Then, instead of the authors of Tract Ninety, and the History of the British Beetle, and biographies of Fox-hunters and Railway Contractors, men might arise in England who would recall the days when the Tale of a Tub, and the Vision of Mirza, and the Idea of a Patriot King, delighted the readers of Milton, and Dryden, and Shakespeare, and added splendour to a literature already glorious.

Yielding to no one in loyal and dutiful attachment to her Majesty<sup>1</sup>—an attachment founded, not upon the servile notions which her family was placed upon the throne of England expressly to destroy, but on the

<sup>1</sup> "Je regarde nos rois d'une affection simplement légitime et civile ni esmue ni desmue par intérêt privé de quoy je me scais bon gré."—MONTAIGNE, liv. iii. c. 1.

solid ground of gratitude for the happiness which my country has enjoyed under her mild and constitutional rule—I have not hesitated to point out the crimes and errors of her kindred. To have done otherwise would have been adulation and a breach of trust. This, however, let me say—and I trust that my motive in saying it will not be misinterpreted—that my task has been made more grateful by the reflection that the censure I have pronounced on others is an eulogy on her, and that in condemning license, duplicity, and an exorbitant love of power, I have written an honest panegyric on “the king-becoming graces,” the purity, the love of truth, and the strict regard to the constitution, which all my contemporaries know to be the characteristic qualities of Queen Victoria.

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# HISTORY OF ENGLAND

DURING THE

## REIGN OF GEORGE THE THIRD.

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### BOOK I.

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#### CHAPTER I.

##### PRELIMINARY VIEW.

IT seems to be a law of nature, that as materials increase, the power of turning them to account diminishes. As we advance in life, experience teaches us the means of avoiding the errors into which at an earlier period we have been betrayed; but the energy, the vehement hopes, and burning passions which would prompt us to make use of those sharp and salutary lessons are no more. So, if the great citizens of Greece and Rome, who wrote in the youth and dawn of history, had possessed the knowledge which is our inheritance,—if, instead of being confined within their narrow limits, in a view still wider than that which the great poet supposes to



have been opened to our common parent, both hemispheres of earth had been stretched out before them, and every state and gradation of barbarism and refinement had been unrolled in one great chart before their eyes, from the departed glories of India, to the capitals of modern Europe, and the seats of still growing and more recent opulence in America—from the stationary civilisation of China, to the sabbathless activity of English enterprise,—if they could have examined political degradation in its various forms, from the submission of the helpless ryot, to the stagnant monotony of German servitude; if they could have compared the evils of savage life with those of excessive luxury and factitious splendour—the condition of the Indian hunter, exposed to all extremities of want and suffering, with that of blighted youth, condemned in factories to premature and incessant toil, or with that of the thousands who labour at their dismal and dreary task in the bowels of the earth, by whom the enjoyment of the common sun and air and skies are pleasures rarely tasted,—if the various forms into which the mind of man has been cast by different creeds and habits in every quarter of the globe had been placed under their eyes, the instruction they have transmitted to us would not, indeed, have been clothed in language of more consummate beauty, but would have been more various, comprehensive, and complete. If the

progress of modern Europe from barbarity to refinement—from the rude licentiousness and abject fetichism described by Gregory of Tours, to the polished corruption portrayed by St. Simon, and the premature vices of barbarous Russia; if those mighty and unprecedented events, the Reformation of the sixteenth, and the Revolution of the eighteenth, century, placing the nature of man in a totally different aspect, had been described by writers with the genius of Herodotus and Thucydides,<sup>1</sup> of Livy and of Tacitus, a flood of light would now illuminate the darkest and most intricate recesses of our mysterious and still unfathomed nature. But it has been ordered otherwise,—as knowledge has increased genius has decayed; and if the ancient intellect often wasted itself in empty speculation, the mind of modern times staggers under the weight of accumulated facts, which it has neither the strength to grasp nor the sagacity to methodise.

The period of which I propose to write the history, is one which has never yet been described by writers free from the influence of party bias or sectarian animosity.<sup>2</sup>

<sup>1</sup> How would the pen that has made the Corecyrean sedition, a feud in a little island, immortal, have painted the uprising of a mighty people—

“ Irasque Leonum  
Vincta recusantum ”—

the crimes of Robespierre, and the genius of Mirabeau?

<sup>2</sup> In these paragraphs I allude to no living writer.

Of those who have undertaken to write the history of George the Third, some have indulged in unjust and indiscriminate censure, without allowing for the mean capacity of the ruler, or the effect of a worse than royal education. But by far the greater number have erred on the side of adulation, as was to be expected from men who wrote under his reign or under that of his immediate descendants, or, indeed, who sought the favour of the majority of English readers. For in our country, since the first half of the seventeenth century, the absence of enlarged views has generally been considered a proof of solid merit; and the faults of this monarch—his amazing narrowness of mind,<sup>1</sup> his adherence to forms, and delight in homely pleasures—contributed not a little to his popularity among the inhabitants of this island, making them blind to his intrigues, his cunning, and a love of arbitrary power, that glowed in the bosom of George the Third as fiercely as it did in that of any of his predecessors on the throne of England. I shall endeavour to represent, freely and indifferently, the true character of his reign, having no inclination to flatter, and being careless whom, in the pursuit of truth, I may offend. Time enough ought to have elapsed since the events related in this volume, to

<sup>1</sup> "He had perhaps the narrowest mind of any man I ever knew."—LORD GRENVILLE, cited in Rogers's "Recollections."

secure for me an impartial audience; and if I am disappointed in this hope, I shall be content if I am numbered among the least of those who have consoled themselves for the neglect of contemporaries whom they have disdained to court, by the expectation of an equitable verdict from the posterity whom they have endeavoured to instruct.

Before, however, I enter upon the narrative, I shall proceed to place under the eyes of the reader some account of the genius and condition of the people whom George the Third was called upon to govern, and of the constitution which, till deprived of reason, he employed every means short of direct violence to shake, perhaps I might say, to overthrow. That constitution, though much has been written upon it, has been very ill understood. It is a noble subject of study and meditation. No nation ever owed so much to their form of government as the English. It alone, by the protection it afforded to industry, and the invigorating spirit with which it animated even the humblest citizen—notwithstanding the corruption that no constitution can prevent, and which has spread like a gangrene through the land, the wasteful expenditure which no other nation would support, and the benetting<sup>1</sup> chicane to which fresh meshes were added by the avarice of each

<sup>1</sup> “ Being thus benetted round with villains.”—*Hamlet*.

I am glad to employ

“ Words that wise Bacon or brave Raleigh spoke.”



successive gang of judges<sup>1</sup>—could have developed in so marvellous a degree the energies of the community, and have enabled it to acquire a degree of wealth and power which, if compared with the natural resources and extent of the southern part of this island, appears like the dream of an extravagant romance. It alone could have vivified so selfish and rude a people, and saved them from the uniform lethargic servitude which still degrades a kindred race in Germany. It alone could have enabled them to pass through the reign I propose to write an account of, without a revolution. It has made them great, and, in spite of themselves, won for them a glorious and imperishable name in history. For the English, though possessed of many useful qualities, though brave, persevering, patient, enterprising, are neither a quick-witted, nor a far-seeing, nor a large-minded people. Their genius is neither penetrating nor comprehensive. They have no idea of grandeur. No people degenerate more rapidly, or require the standard which they should aim at to be more constantly before their eyes. No great nation has ever been so illogical, or—provided they heard certain sounds repeated, and saw certain forms observed—more implicit in their surrender of the reality which those sounds were intended to signify, and those forms

<sup>1</sup> See Roger North's account of the shameless struggle for fees between the Court of King's Bench and Common Pleas, given without the least consciousness of its turpitude.

to keep alive.<sup>1</sup> That taste has not been allotted to them, the books that have been popular among them since the mob of the reading public has increased,—that is, from the death of Pope to the hour when I am writing,—and almost every public edifice, monument, or inscription in the land, are a sufficient proof. They sometimes endure genius, but they always encourage<sup>2</sup> mediocrity. They pardon the errors of ordinary men far more easily than the eccentricities<sup>3</sup> into which men of a superior nature are occasionally betrayed. Intellect, when portionless, they condemn. Unless refined by careful education, even in the highest rank, and the softer sex, they are narrow-minded, rough, and trivial—distrusting all that is great, apt to sneer at all that is exalted detesting all that is extraordinary, and yet, when the example has once been set, rapidly passing from a blind hatred of all that is foreign, to the most servile and indiscriminating imitation. Their extravagance is commonplace,<sup>4</sup> and their very scepticism is taken on trust.

<sup>1</sup> *e.g.* the *congé d'élire* still preserved.

<sup>2</sup> “ Povera è nuda vai filosofia,  
Dice la turba al vil guadagno intesa.”

<sup>3</sup> A modern writer censures W. Pitt for not casting up his grocer's bills.

<sup>4</sup> *e.g.* the wild, unreasoning, and sudden adoption of all Niebuhr's paradoxes (which, by the way, were borrowed from Vico) on Roman History; the anti-Raphaelite school; the doubt, cherished by Germans, but unknown to Plato and Aristotle, whether the same man wrote the parting of Hector and Andromache, and the meeting of Priam and Achilles, the Iliad and the Odyssey, &c. &c.

Though generally munificent and constitutionally stubborn, no people has ever surpassed them in the worship of money, by whomsoever acquired, or of rank to whomsoever given. The Statute Book shows too clearly that public spirit is not their characteristic. For in no free country have considerations of private interest so uniformly triumphed over the dearest interests of the commonwealth; such enormous abuses been allowed to continue so long unredressed; or, at last, when reform became inevitable, in spite of the misery they inflicted upon thousands and tens of thousands, touched with a more sparing and timidly parental hand.<sup>1</sup> Accordingly, the virtues the English most appreciate are those of domestic life; the crime they most abhor is direct, informal oppression. To the inequalities and slights of social life—of which all classes among them are prodigal towards those whom, for whatever reason, they consider their inferiors, and which more sensitive races resent as wounds far more cruel than any material suffering—they are indifferent, not from philosophy, but want of perception. Their distinguishing moral defects are selfishness, respect for money, and its twin vice indifference to merit for its own sake. Their great

<sup>1</sup> Among thousands of instances take the following:—Trial by battle took place in the year 1820 in an English court of justice. The Ecclesiastical Courts were not abolished till within these ten years, and then after a desperate struggle. Even now bishops appoint chancellors. The law ordered women to be burnt alive in 1770; it is said the hangman generally strangled them first—*Jy consens.*

moral qualities are the love of truth, and fortitude ; it is in the hour of peril and adversity, when natures less robust shrink and quail, and abandon themselves to despair, that this noble element of the English being appears in the clearest light, and commands the respect of their most embittered adversaries.

Their chief intellectual defect, to which many of the crimes and most of the disasters which disfigure our history are to be ascribed—and of which the annals of our law, wheresoever recorded, from the first page of the Year Books to the last volume of the Statutes, contain proofs almost incredible—is an inveterate empiricism, a delight in microscopic detail, and a total absence of anything like the power of generalisation.

Their chief intellectual quality—a quality most precious, of which no people stand in greater need, and which has been vouchsafed to none in a larger degree—is that of improving by education. Their courage, less fiery, and more the result of habit and discipline, is steadier, more enduring, and less intractable than that of the French. From the hour when Henry the First appealed to his Saxon bowmen, saying that with their aid he would defy all the chivalry of France, to the hour when eighteen hundred English soldiers stood victors on the heights of Albuera ;<sup>1</sup> from the victories of Edward the Third to

<sup>1</sup> Napier.



the battle of Trafalgar ; in France, the scene of their earliest glory ; in Italy, in Germany, in Spain, in the East and in the West, in the Old World and in the New—by land, and still more by sea, the fighting men of England have preserved the foremost rank for deliberate valour and desperate energy among European warriors.

If it is asked how such a constitution grew up among this people, the answer is twofold. First, nature had fixed the frontier of England.<sup>1</sup> That of France was long, and is even now,<sup>2</sup> in a certain sense, unsettled. For many centuries in that country every encroachment of royal power added to national strength and unity. To strengthen the executive influence, therefore, was long the first aim of every enlightened patriot.<sup>3</sup> On the contrary, our geographical situation not only ensured our national unity, but deprived our rulers of all excuse for keeping on foot a standing army—the instrument<sup>4</sup> by which the liberty of all other countries has been destroyed, and which, unless vigilantly watched, will assuredly one day prove fatal to our own. And secondly, the reason assigned by a great historian for the grandeur of Rome—the splendid virtues of a few eminent

<sup>1</sup> "This fortress built by nature for herself," says the greatest of her children.

<sup>2</sup> In the eighteenth century, French statesmen were always talking of "L'arrondissement du pré;" *i.e.*, Lorraine, Savoy, and the Low Countries. The "pré" is not quite complete yet. "Oh si Angulus ille!"

<sup>3</sup> See the admirable work of M. Thierry, *Histoire du Tiers Etat*.

<sup>4</sup> "L'Europe se perdra par les gens de guerre," says Montesquieu.

citizens. These men kept their eyes steadily fixed on civil freedom as the end of all their struggles. While the object of the sanguinary violence of the League in France, was merely to determine whether arbitrary power should be wielded by Guise or Bourbon; while the puerile contumacy of the Fronde had for its sole motive the vanity and interest of a frivolous and factious aristocracy,—the object of civil war in England before and after the wars of the Roses—of Simon de Montfort and of Bohun, as well as of Hampden, of Elliot, and of Somers—was to take care that arbitrary power should not exist among us. In France the sordid motives of the few have often made useless the noble purposes and amazing self-devotion of the many. In England the gross propensities and selfish views of the many have been turned to the public service, or counteracted and neutralised by the lofty qualities of the few. Neither the long struggle against the House of Stuart, nor the Revolution of 1688, nor Catholic emancipation, nor free trade were the work of the people. The restoration of Charles the Second, without one single guarantee; the prosecutions of the Popish plot,<sup>1</sup> and of the plot set up as a retaliation for it; the murders of Lord Russell, of Algernon Sydney, of Cornish, of College, and, foulest

<sup>1</sup> "Juries," says Bishop Burnet, "at this time were a shame to the nation, and a reproach to religion."

of all, of Mary Gaunt and Alice Lisle ; the outcry for passive obedience in Queen Anne's time ; the clamour against patriotism in George the Second's ; the resistance to the Jewish naturalisation bill ; the tenacious adherence to the Julian style in the calendar ;<sup>1</sup> the Spanish war of 1739 ; Lord George Gordon's riots ; the total neglect and cruel oppression of our dependencies in India, Ireland, and America ; the American war ; the beginning of the war against France in 1793 ; the riots at Birmingham, when Priestley's house was burnt over his head because he was erroneously supposed to be a philosopher ; the disgraceful peace of Amiens ; the "No Popery" cry of 1807,—in all these events the bias and inclination of the common English mind discovers itself unequivocally. To most of these the vulgar, titled and untitled, great and small, gave a ready sympathy and cordial approbation—it acquiesced in all. The constitution which made all the various and intractable elements of such a community work together for good ; which enlisted the prejudices of the people, the selfish pedantry of

<sup>1</sup> " Greater difficulty was found in appeasing the clamour of the people against the supposed profaneness of changing the Saints' days in the calendar, and altering the time of all the immovable feasts. At the period when the bill took effect, the populace marked their dissatisfaction by exclaiming, ' Give us back our eleven days,' and other tumultuary indications. The spirit was slow in subsiding, and years elapsed before the people were fully reconciled to this new regulation." —Coxe's *Pelham*. The Duke of Newcastle endeavoured to dissuade Lord Chesterfield from bringing forward the measure.

the lawyer, the tradesman's desire of gain, the sullen arrogance of the well-born churl, the factitious pride<sup>1</sup> and desire of court favour in a comparatively modern nobility, and occasionally even the hypocrisy of the priest on the side of patriotism in so many great emergencies ; which was able, in the words of the great orator of antiquity, to contract into the narrowest compass, the errors, vices, and infirmities of every class that it contained ; which, in spite of gross and grievous abuses, kept the Englishman free while the rest of Europe was enslaved,—deserves to be recorded as one of the greatest triumphs man ever achieved over evil, and among the greatest blessings that he ever was permitted during so long a period in any tolerable perfection to enjoy.

To trace the history of that constitution in detail is a task that has been fulfilled by a modern writer,<sup>2</sup> with rare diligence and scrupulous fidelity. The subject, however, is by no means exhausted ; there is much truth hidden in the epigrammatic phrase of Montesquieu that it was discovered in the primæval forest. That certain principles of freedom were common to all the Gothic governments of Europe, is clear from the laws and traces of freedom, which, in Spain, as the story of Antonio Perez shows, lasted

<sup>1</sup> "Pride that licks the dust;" very different from that of Metellus and Popillius.

<sup>2</sup> Mr. Hallam.



till the reign of Philip the Second, and in France, at least, were never quite obliterated. But while in France the crown was transmitted from father to son without interruption, and with accumulating influence, for more than three hundred years,<sup>1</sup> in England it happened most fortunately that of the first six princes who ruled after William the Conqueror, four were usurpers, and only one a son, who succeeded in due course of succession to his father, and obtained the crown by an undisputed title. Each of these five princes had been obliged to appeal to the great barons for their support; some had endeavoured to win the people to their side by promises of charters and concessions. The sixth, John—if Matthew Paris, a great and honest writer, is to be believed—held the crown of which he was not the heir, by a strictly elective title. The profligate, cruel, and odious character of this ruler<sup>2</sup>—not redeemed by a single trait of courage, firmness, or generosity—his quarrel with the Church of Rome, and, above all, the defeat of his ally, Otho, the Emperor of Germany, at the battle of Bovines,<sup>3</sup> by Philip Augustus, enabled the barons to extort from their humbled monarch the famous charter which is

<sup>1</sup> From 987 to 1316. The Valois branch did not ascend the throne of France till 1328

<sup>2</sup> “*Sordida fœdatur fœdante Johanne gehenna.*”—MATTHEW PARIS, p. 288.

<sup>3</sup> The English auxiliaries of Otho were led by the Earl of Salisbury. He was struck down by the mace of the Bishop of Beauvais, Philippe de Dreux.

the basis of our constitution. It is singular, if anything in human affairs can be called singular, that the first great national victory of the French should have cemented the foundation of our liberty and their own servitude<sup>1</sup>—that a victory by a French king over a German emperor should have sealed the title-deed of English freedom. If Philip had been defeated, the feudal aristocracy would have been crushed in England, as, in consequence of his victory, it was ultimately in France. For the first time in that dreadful period of servitude and superstition, known by the name of the middle ages, which has branded upon modern Europe scars that even now, in this favoured country, are deep and visible, we behold the sign of regeneration, in the noble spectacle of a nation uniting all classes of freemen to break down arbitrary power, and to establish the supremacy of right. The State vessel had laid fast hold of a strong ground, and swung in various directions without permanent injury, because it had a sure anchorage.

Magna Charta,<sup>2</sup> though its provisions were far

<sup>1</sup> "C'était la royauté qui devoit recueillir tous les fruits de la victoire nationale."—MARTEN, *Hist.*, vol. iv. p. 280.

<sup>2</sup> Let the reader compare the provisions of Magna Charta, A.D. 1215, with the demands of the feudal aristocracy at Naples, 1470, in which there is not a single stipulation for any order but their own,—as preserved to us by Porzio, perhaps the greatest modern historian in the country which, Spain excepted, has produced the greatest historians of modern times:—

"Le principali domande sopra delle quale i Baroni firgevano col re voler

beyond the general notions of the age in which they were framed, and though it gave the most prosaic and precedent-ridden people in the world something solid and tangible to which they could appeal, and so far was of inestimable value,—might be, and owing to the unexampled corruption of our judges, repeatedly was, mutilated and explained away. But the measure which more than any other placed the liberties of England on a sure and solid basis, was the act of a foreigner,<sup>1</sup> suggested probably by the ecclesiastics whom he always affected to consult—

pattuire furono queste :—Che non volevano nelle sue richieste personalmente comparire. . . . Che fosse loro permesso di tener gente d'armi per difesa de' loro stati. Che potessero custodire le fortezze proprie co' loro soldati che non dovesse il re gravare i loro sudditi di'altra che dell' ordinaria imposizione. Che le sue genti d'arme non dovessero ne' loro stati alloggiare volendosene per le proprie servizie; e finalmente che fosse loro lecito senza torre licenza da lui prendere soldo e sotto qualunque principe militare, purchè l'armi, non s' avessero a maneggiare contra del Regno.”—*Congiura de Baroni*, lib. ii.; *Ed. Monzani*, p. 65.

“These demands I have thought it good to relate,” says Porzio, “not only to preserve them for future ages, but that the present age may observe the insolence of these ancient nobles of the land, chiefly caused by constant exercise in arms.”

<sup>1</sup> It is remarkable that the founder of our liberties, Simon de Montfort, was not of Norman extraction. He was the king's brother-in-law—“*Alienoram filiam regis Johannis sororem regis desponsavit.*”—MATTHEW PARIS, p. 393.

“Et sciendum quod nemo sani capitis debet censere neque appellare Simonem nomine proditoris non enim fuit proditor sed regni Anglorum defensor.”—MATTHEW PARIS.

I shall quote two striking passages from the English Herodotus:—

“Sic que labores finivit suos vir ille magnificus Simon Comes qui non solum sua sed se impendit pro oppressione pauperum assertionem justitiæ et regni jure. Fuerat utique literarum scientiâ commendatus officiis Divinis assidue interesse Gaudens, frugalitati deditus, cui familiare fuit in noctibus vigilare, amplius quam dormire. Constans fuit in verbo, severus in vultu, maxime fidus in orationibus, religiosorum ecclesiasticis magnam semper impendens reverentiam.”—p. 855.

Robert Grosstête, Bishop of Lincoln, one of the greatest men that ever lived in this island, was his chief confidant and counsellor. “*Ipsius consilio,*” says



I mean the issuing of writs to deputies of boroughs, by Simon de Montfort, which was the true origin of representative government among us. The seed was then sown which, notwithstanding many attempts to stifle it, was destined to produce a glorious harvest. As the law which regulates the relations of man to man in civil society daily became, under the influence of judges, more absurd, more intricate, and more warped, to serve the selfish purposes of a class, the law establishing the relation of the subject to the ruling power advanced, under the influence of the House of Commons, more and more closely to perfection in every succeeding century; and when the House of Stuart ascended the throne, our liberties were fortified by barriers which neither the kings of that incorrigible race, nor the priests and lawyers who supported them, were able to overthrow.

In the Great Charter it is provided that the archbishops, bishops, earls, and greater barons, shall be summoned to the Great Council, by particular letters

M. Paris, "*tractabat ardua, tentabat dubia, finivit inchoata*"—p. 855. Grostête is said to have predicted the death of De Montfort and his eldest son, with whose education he had been entrusted. Laying his hand on the youth's head, he exclaimed, "My son, thou and thy father will both die on the same day, and by the same hand, but in the cause of justice and of truth."—MATTHEW PARIS, p. 857. "*Quid voveat dulci nutricula majus alumno?*" The name of this first of our state martyrs dwelt long in the memory of the people.—See "*Percy's Ballads*," vol. ii. p. 198. Like King Arthur, and Sebastian of Portugal, and Monmouth, he was said to have escaped.—See "*Robert of Gloucester's Chronicle*," p. 559.

"Such was the murder of Evesham, for battle none it was."



from the king; and that all other persons holding immediately of the crown, shall receive a general summons from the sheriff. Thus some knights of the shires became members of the Great National Council. When it was that representatives of counties began to sit in the same house with representatives of boroughs, is a circumstance that has not yet been ascertained. It seems in the natural course of events that those who were returned to Parliament by election, and who represented others, should sit together with persons returned in the same manner with themselves, instead of belonging to a body who held their seats by an entirely different tenure.

Whenever this took place, it is an event of prodigious importance in our constitutional history. If we combine with this fact another circumstance peculiar to England, that the younger sons of nobles possessed no technical rank or privilege, but became blended with the mass of commoners, we shall see the main cause that gave strength and spirit to the popular element of our constitution, and formed that class of gentlemen<sup>1</sup> to which, with all its faults,

<sup>1</sup> A Frenchman, in the seventeenth century, has described admirably well the constitution of the House of Commons. Speaking of the treachery of James the First to the Protestant and English cause, he says, "L'Agent d'Angleterre lui a encore dit . . . que la basse chambre de leur Parlement, c'est a dire la noblesse, non qualifiée et le tiers état," &c.—*Neg. de Jeunin*, vol. i. p. 145. Ed. Amsterdam, June 9, 1607.

England, more than to any other, owes the stability of her freedom. Men enriched by petty trades,<sup>1</sup> and accustomed to submissive habits, could hardly be expected to confront Plantagenet, or to oppose the great feudal nobles whom they had long been accustomed to regard with implicit veneration. But when they were fortified by the infusion of gentle blood—when they saw upon their benches men of lineage as ancient, and spirit as inflexible, as those who belonged to the Upper House—when supported by the Bohuns, the Nevilles, and the De Veres, by those whose names were fixed to the roll of Battle Abbey, or had been the war cry at Acre, the trader and the merchant acquired a courage unknown to those of the same rank in foreign nations. Thus our aristocracy became more popular, and our democracy more aristocratical, than the same classes in other countries, where they were divided by a barrier that was almost impassable.

The fierce and rancorous hatred nourished by the third estate against the noble, engendered by centuries of scorn and oppression, that blazed forth at

<sup>1</sup> See Chaucer's description of the opulent Franklin:—

“It snowed in his house of meat and drink,  
Of alle deinties that men could of think:  
At Sessions there was he lord and sire,  
Full often time he was knight of the shire.

\* \* \* \*

“A shereve had he been, and a countour,  
Was no where suiche a worthy vavasour.”—*Prologue*.

the French Revolution, and that to this hour is burnt in traces indelible on the mind and laws of France, was never known since the Norman and Saxon races mixed with each other in England. Sometimes the king appealed to the commons against the aristocracy, and as society became exposed to evils of a different kind, the aristocracy in their turn appealed to the people against the king.

For some years after the Conquest<sup>1</sup> the English people looked to the feudal king as a shelter from the petty tyrants who surrounded them, and aided him in controlling the great nobles; and again, when the feudal system had fallen into decay, and the king of commercial and opulent England aimed at the power of continental monarchs, he found himself, thanks to our guardian waves, without an army to support him against the united force of the nobles and the middle class. It is true—and he must be blind to fact, or indifferent to morality, who denies it—that in consequence of this state of things, the House of Commons had become, at the time of the Revolution, an aristocratical assembly, and re-

<sup>1</sup> Robert de Belesme fortified Bridgnorth Castle against Henry the First. It was reduced to extremity. The nobles on the king's side were anxious that he should be admitted to terms. But the native soldiers—"tria millia pagensium militum"—exclaimed, "oppidum acriter expugna, traditorem coarta, nec pacem cum illo facias." He was driven out of England. "Omnis Anglia exulante crudeli tyranno exultavit."—See *Ordericus Vitalis, Hist. Norm. Scriptores*, p. 807.

flecting but faintly the sentiments of the middle, had ceased almost entirely to represent, or indeed (as the savage and foolish laws sometimes passed by it too plainly show) to care for the lower class. Yet it is also true that the terrible question which ushered in the French Revolution could never have been answered here, as it was on the other side the Channel.<sup>1</sup>

At the close of the thirteenth century we find the House of Commons firmly established and recognised as an essential part of the constitution. If we carry our view further for another century, we see the effect of this in the mighty change that had been wrought in the English habit of thought and character. We see the determined appeal to right which, fatally for himself, even the son of England's darling son, the heroic Black Prince, and the grandson of the most illustrious of our greatest line of sovereigns, had ventured, in the intoxication of youth and fortune, to oppose.<sup>2</sup> At the very moment when Richard the Second imagined himself most secure,—when he had a packed parliament<sup>3</sup> at his devotion; when he had banished or put to death his most formidable opponents; when

<sup>1</sup> Qu'est le tiers état? Rien.

<sup>2</sup> "Factique sunt," says the old chronicler, "quasi una persona majores et minores plebis et communes contra antedictos regni prædones."—KNIGHTON, col. 2702.

"Clamantes et dicentes delectantur de vitâ ne honor egregius Anglicanæ gentis per tales proditores viduetur." This is what Mr. Hume calls the despotism of Turkey. And see *ib.*, col. 2710, the address of the Lords and Commons:—"Est besogne de mutere la gouvernayle de vous et de votre terre."

<sup>3</sup> That the parliament was packed shows its importance.



all the great offices of the state and the law were in the hands of those favourable to his designs,—he was obliged to resign the crown,<sup>1</sup> and to sign an instrument declaring that he was unworthy to be a king. Such, at the close of the fourteenth century, was the temper of the English people and the spirit of the English government.

To enter upon the wars which soaked the English soil for thirty-five years in blood, when a turbulent aristocracy, no longer led to foreign conquest, turned their arms against each other, is no part of my task.<sup>2</sup> The close of this century exhibits a less favourable prospect. The extirpation of the great families before the balance of property had fallen into the scale of the commons, exposed our liberties to imminent danger in the beginning of the next, and enabled the crown, then worn by the most perfectly wicked and detestable of all modern tyrants, to attain the highest point of its elevation. As, however, the enormous wealth of the Church gradually found its way among the class out of which the House of Commons was selected, that

<sup>1</sup> “Meque ad regimen et gubernationem dictorum regnorum . . . recognosco reputo et veraciter ex certâ scientiâ, judico fuisse et esse insufficientem penitus et inutilem ac propter mea demerita notoria non immerito deponendum. . . . Ego Ricardus Rex propriâ manu me subscribo. Cedula illam distincte perlegit.”—*Rot. Parl.*, vol. iii. p. 416.

<sup>2</sup> “Mais encores m’a compté le roy Edouard, que en toutes les batailles qu’il avoit gagnées que dès ce qu’il venoit au dessus, il montoit à cheval et cryoit que on sauvât le peuple, a qu’on tuât les seigneurs, car d’iceux n’échappoit nul ou bien peu.”—*Comines*, vol. iii. p. 5.

body, which had sunk, during the reign of the first four Tudors, into a kind of apathy, not only asserted its ancient and, for a time, half-forgotten rights, but began to speak in a tone that became louder and louder with the consciousness of its strength and the exigencies of society. If we look abroad, we find at the close of the fifteenth century the royal power all over Europe encroaching upon the aristocracy. Ferdinand of Aragon, Ferdinand of Naples, Louis the Eleventh, Henry the Seventh, all had the same object in view, and pursued it each according to his peculiar disposition and opportunities—Ferdinand of Aragon by fraud, Ferdinand of Naples by fraud and violence, Louis the Eleventh by cruelty, Henry the Seventh by chicane. For a time it appeared as if the scheme would be as successful in England as it proved to be no long time afterwards on the Continent. But at this critical period of our history, the circumstance I have already mentioned, relating to the elements of which the House of Commons was composed, proved the safeguard of the country. The House of Commons that had stooped so low in the sanguinary reign of Henry the Eighth, that allowed him to bathe himself in innocent blood, and to indulge a savage nature against which neither youth, nor age, nor sex, nor distinguished services, nor obscurity, nor the veneration of the civilised world, furnished any protection; that turned for a short time the

Cambyeses-like caprice of this fury of lust and blood<sup>1</sup> into the religion of the state, and gave to his proclamations the force of law,—still preserved inviolate some important barriers of the constitution. With characteristic egotism they vindicated their own rights while they abandoned those of the nation. But in asserting their own privileges they were, in reality, preparing the means to recover those liberties which they had been in so many instances base enough to surrender.

When it pleased God to deliver England from the scourge of this merciless oppressor, though the character of the House of Commons had been lowered, the rights of that body were unimpaired. Its functions in the state were, constitutionally speaking, the same as in the days of Plantagenet. It was their exclusive privilege—a privilege emphatically vindicated under Elizabeth—to regulate the amount and origin of every tax; no law could be passed without their sanction; and when a distinguished officer<sup>2</sup> disgraced himself by a speech of almost sacerdotal adulation, inculcating an implicit

<sup>1</sup> Two lines of Corneille, in one of his most magnificent plays, go near to describe this:—

“Si l'on doit le nom d'homme à qui n'a rien d'humain,  
A ce tigre altéré de tout le sang Romain.”—*Cinna*.

But Augustus did not alter the religion of his country, and destroy by a cruel death those who worshipped as their fathers had done, and by a death still more cruel those who did not.

<sup>2</sup> Sir Humphrey Gilbert.

deference to the will of the sovereign—though that sovereign was Elizabeth—a high-spirited country gentleman,<sup>1</sup> who, if he had lived in France, would have belonged to the caste of nobles, but who was in England a representative of the people, chastised his baseness by a scornful and well-deserved rebuke. At the close of the sixteenth century the House of Commons had recovered its ancient power. It obliged Elizabeth to abandon her monopolies, and showed that it was equal to the part which, during the next half century, it was called upon to fulfil.

When to the love of liberty was added the vehemence of religious enthusiasm, the impulse became irresistible. The reverence and gratitude universally felt for our magnanimous Elizabeth by the people whom she had placed at the head of Protestant Europe, made the warmest patriot willing to overlook the outbreaks of a fiery temper, and the disregard on some very few occasions shown to an ill-defined and irregular constitution. But under the miserable successor of this great Princess, stained with the most loathsome vices, and privy, there can be little doubt, to the blackest crimes, they were restrained by no such considerations.

The epoch, from the accession of James the First to the breaking out of the Civil War, is the grand and glorious period of English history. In the

<sup>1</sup> Wentworth.



Revolution of 1688 there is almost as much to blush for as to admire. The leading men seem to have been swayed chiefly by the motives of their own selfish interest. They carried on, almost without exception, a scandalous traffic with the Court of St. James and the Court of St. Germain. But if ever the character of men, for almost half a century actors on the public stage, was free from the taint of ordinary vices and infirmities—if ever it was given to modern Europeans with examples of prosperous baseness under their eyes, and the doctrines of a servile priesthood continually sounding in their ears, to act in a way that would have honoured those who heard the lessons of Socrates, and sat in the senate with Cato,—the patriots, who, in spite of obscure sufferings, of imprisonment, exile, confiscation, death, without stipulating one single benefit for themselves, rescued from oblivion the right of punishing evil counsellors, encountered with dignified firmness the extravagant pretensions of James, and wrung the assent to the Petition of Right from the lips of his prevaricating son, who abolished the Star Chamber and the High Commission Court, who drove Finch into exile, impeached Laud, brought Strafford to the block, and deprived the prelates of their seats in the House of Lords, have won that renown and are entitled to be honoured with that remembrance.

The English Church, when the prelates of it were thus deprived of a power which no other Protestant community allows them to possess, and which he who examines their votes will hardly think has contributed more to their own reputation than it has to the welfare of the community, had existed for three generations of Englishmen. During that short period it had set on foot an active and savage persecution<sup>1</sup> against Catholic and Protestant, against all Christians who had not adopted precisely the creed, rites, and ceremonies which it had seemed good to the founders of this recent creation to establish. To exercise the right of private judgment, so far as to quit the Church of Rome, which had governed Christendom for centuries, was the duty of every Christian ; but to exercise it so far as to differ with the articles put out not one hundred years before by a Church that did not pretend to be infallible, and teachers that laid no claim to inspiration, was a crime to be punished, in some instances, by the stake, in all others by confiscation, by the lash and shears of the hangman, and by the pestilential dungeon, within the walls of which was death.<sup>2</sup>

<sup>1</sup> "It was the undoubted fundamental privilege of the Commons in Parliament, that all supplies should have their rise and beginning from them ; this had never been infringed or violated, or so much as questioned, in the worst times."—CLARENDON, *Hist.*, vol. i. p. 237.

<sup>2</sup> Many dissenting ministers were killed by confinement in prison during the reign of Charles the Second.—NEALE'S *Hist. of the Puritans*, 4to. vol. ii. p. 736.

It may be doubted if any characters in modern history are more thoroughly odious and contemptible than those of most of the English prelates, from the commencement of the reign of Elizabeth to the Revolution—from Parker to Sheldon. Cranmer had set a terrible example of persecution and subserviency. He had dyed his hands deep in innocent blood; and his incessant vacillation shows that he had not himself the strong and deep conviction which alone can extenuate intolerance. But Parker, Whitgift, Bancroft, Aylmer, Laud, Wren, Neale were savage tyrants, animated by avarice and ambition, parasites and plunderers, servile, rapacious, cruel, and insolent. They harassed some of the most virtuous of mankind, and some of the most learned and highly-gifted men England has ever had

See especially the case of Delaune,—whose wife and children were destroyed at the same time,—Bampfild, and Ralphson, all learned men. Women of blameless character were sent to beat hemp in Bridewell. And see the case of William Jenkins, who had signalised himself by his loyalty in Cromwell's time, on his refusing to take the Oxford oath, which Lord Southampton said no honest man could take. He was flung into Newgate, and kept there, in spite of a certificate that his life was in danger; there he perished. "A little before his death he said, a man might be as effectually murdered in Newgate as at Tyburn;" a fact of which Charles the Second's ministers were quite aware—as, among many other victims, the death of Colonel Hutchinson proves.

One clergyman in the pulpit told his congregation that the Nonconformists ought to be cured by vengeance. He urged them to set fire to the faggot, and to teach them by scourges and scorpions, and open their eyes with gall.—See *Appendix, Address from the University of Cambridge*. NEALE, vol. ii. p. 726.

The most infamous persecutors of this time were Archbishop Sheldon (a notorious unbeliever), Ward, Bishop of Salisbury; Barton, Bishop of Lincoln; Lampleigh, Bishop of Exeter; Gunning, Bishop of Ely; Sterne, Archbishop of York; Henchman, Bishop of London.

to boast of, by incessant persecutions—sometimes by petty vexations, sometimes by more terrible punishments, by confiscation, imprisonment, and death—for not adopting in all its details a creed that fifty years before was unknown to England, and that even then was strange, as it has ever since remained, to the rest of Christian Europe.<sup>1</sup>

The conduct of Parker, Aylmer, and Whitgift drew down repeated remonstrances from Elizabeth's wisest councillors. Burleigh, exasperated by repeated instances of Whitgift's violence and cruelty, told him, in plain terms, that he found the articles to which Whitgift required assent "so curiously penned, so full of branches and circumstances, as he thought the inquisitors of Spain had not so many questions to comprehend and trap their prey."<sup>2</sup> And all their proceedings are marked with the meanness, feminine spite, and bitterness which so peculiarly distinguish the persecuting priest. The reader who will wade through the tedious pages of Strype, or study the delightful volumes of Fuller, will find abundant proof that as there was no punishment

<sup>1</sup> "What numbers of faithful and freeborn Englishmen have been constrained to forsake their dearest home, their friends, and kindred, whom nothing but the wide ocean, and the savage deserts of America, could hide and shelter from the fury of the bishops, because their conscience could not assent to things which the bishops thought *indifferent*;—cruel must that indifference be," &c.—MILTON, *Reformation in England*.

<sup>2</sup> See especially Whitgift's conduct to Cartwright, and Laud's to Williams, his benefactor.



too cruel for these men to inflict, there was no vexation too petty for them to employ, in order to satisfy their pride and their malevolence; nor was their servility less conspicuous.

There are few scenes in our history more disgusting than the Hampton Court Conference. The ribaldry of James the First, who had often called God, in the most solemn manner, to witness his faith in the Presbyterian church, and then took upon himself to establish episcopacy among us, and to lay down rules for the creed of Englishmen, was so brutal and filthy that it is impossible to transcribe it here. Yet Archbishop Whitgift blasphemously told him, "that his Majesty undoubtedly spake by the special Spirit of God;"<sup>1</sup> and the Bishop of London—Bancroft, a savage persecutor—told the impure and foul-mouthed pedant, that he made haste to acknowledge to Almighty God the singular mercy received at his hands in giving them such a king, whom he then compared to Jesus Christ.

The truth, however, is, that the State religion during the reign of Elizabeth, had assumed in this island a very peculiar form—that of a compromise, which, logically indefensible, was at the time politically convenient. After changing their creed at the will of four successive sovereigns, the English

<sup>1</sup> The spirit, said Sir John Harrington, was assuredly a foul one.

people<sup>1</sup> ended by establishing a form of worship which enabled their prelates to mimic the style, and assert for themselves the powers that infallibility alone could justify, of the Vatican ; and while the letter of their Calvinistic articles remained the same, gradually to exchange the hideous doctrine of that virulent inquisitor, for the milder and more rational system of Arminius.

But it was not the harshness of Calvin's appalling creed (more immoral than any with which Paganism can be reproached), so much as the Republican energy which accompanied it, that was the real object of their abhorrence ; nor was it the theology of Arminius, so much as the power his followers allowed to bishops, that was the motive of their preference.

The alliance between priest and king, cemented by the blood and tortures of some of the noblest of our species, was early made, and faithfully maintained during the dynasty of the House of Stuart. But for the Puritans it would have plunged us into a servitude as complete, and more galling, because less redeemed by refinement, and social elegance, and national renown, as that to which the French submitted in the splendid age of Louis the Fourteenth. But when, relying upon their solemn and reiterated declarations, which they had called on the Almighty

<sup>1</sup> Montaigne says this servility made him ashamed of his English blood.

to witness, and with which, for almost a century, while the land was drenched with innocent blood, the English pulpits had everywhere resounded, the last, and by no means the worst, king of that contemptible race laid his profane hands on the temporal possessions of the English clergy, they scrupled not at once to act in defiance of obligations which they had over and over again declared no human authority could loosen, and no external circumstances control.

The race that had shed the blood of high and low, of lofty minded patriots and noble matrons, that had promoted Scroggs and Saunders, and ennobled Jeffreys, that had sold England to France and stripped her cities of their franchise, the king who, being the object of a thousand loyal addresses, was covered with the blood of Mary Gaunt and Alice Lisle, of Argyle and of Monmouth, was overthrown so soon as he became an object of terror to the clergy.<sup>1</sup> The confinement of seven bishops for a few days in the Tower, without the slightest danger to their persons, and very little to their property, did what the abominations of Jeffreys, and a land deluged with righteous blood, had been insufficient to accomplish. James's bark shivered on that rock, the only one in his course to absolute power, which fortunately for us, he insisted upon steering her against.

<sup>1</sup> "Hoc nocuit Lamiarum cœde recenti,"

After the Revolution the prelates of the English Church were, except during a few years in the reign of William, and the short period of Harley's administration, generally speaking, as anxious, from motives of interest, to disclaim the tenet of Divine right, as their predecessors had been, from the same motive, to support it. But the less dignified clergy were chiefly Jacobites,<sup>1</sup> and clung with blind tenacity to the creed of Mainwaring and Montagu. The same doctrine was inculcated at Oxford, where, at any rate, the art of composition was not yet forgotten, nor classical taste exchanged for mere philology and a barbarous erudition.

Whatever we may think of their political opinions, the style of Addison, Sharp,<sup>2</sup> and Smalridge, of Atterbury and Bolingbroke, placed in a clear light the advantages of a liberal education. But no one could hope to fill any of the higher stations of the Church, during the reigns of the first two princes of the House of Brunswick, who professed his adherence to a creed directly inconsistent with the title of those sovereigns to the throne. The ecclesiastical leaven, however, still showed itself among the bishops, in keeping the rod, which they were no longer permitted to use, suspended over the heads of the

<sup>1</sup> "A proof that Court and Country are not our only parties, is, that almost all the Dissenters side with the Court, and the lower clergy, at least of the Church of England, with the Opposition."—HUME's *Essay : Parties in Great Britain*.

<sup>2</sup> Archbishop Sharp's English is perhaps the purest specimen of our language



Dissenters, and in maintaining the letter of exploded persecution, though the power of punishing other Protestants, for worshipping God their own way, no more existed. The abuse of pluralities—in spite of Lord Bacon's declaration that men should live of the flock they do not feed, and of the altar they do not serve, which can hardly receive just defence—was carefully preserved. The doctrine so crudely stated by a modern writer,<sup>1</sup> and which is as incompatible with all purity and elevation as it is with fact and experience, that mercenary motives can alone be depended upon to secure a zealous clergy, and that they must rely upon their incomes for their title to respect, prevailed almost universally, and had borne its natural fruits. The clergy were hated for their arrogance, and despised for their ostentatious worldliness. Except as a party watchword, the Church had lost its influence over the educated classes. To the spiritual wants of the lower classes the dignified clergy were, for the most part, altogether indifferent. Bishops were to be

<sup>1</sup> Chaucer might have taught him better—

“He could in little thing have suffisance,”

is part of his description of a good priest.

Is it the income of the Irish priest that has enabled him so long to wield at his will the population of that country? Was it the income of the early Christians that made their religion the creed of Europe? It would be nearer the truth to assert a directly opposite proposition, and say that the poorer a church is, the more influence it acquires. So, Lord Bacon says, the begging friars saved the Church of Rome, which its enormous possessions had placed in jeopardy. It is evident that, after a certain point, the moral influence of religious teachers is in an inverse proportion to their wealth.

seen constantly on their bench in the House of Lords, in the antechambers of a minister, and the palace of their sovereign,—rarely in cottages ; never in the prison or the mine.<sup>1</sup> Nothing indeed but the rank, and enormous emoluments annexed—in plain, and it would seem almost studied, defiance of the positive words and obvious sense of Scripture—to the high places in the Church, and the consequence that it furnished a provision for the younger sons of noble or patrician families saved it from falling into complete contempt. Even those sequestered spots on which the imagination of Addison loved to dwell, land-locked from all the storms, cares, and tumults of ordinary life, where a man of letters and refinement and piety might, while indulging the noblest aspirations, and communing with the great teachers of antiquity, contribute to the prosperity of the district in which he was placed, and realise the beautiful visions of Chaucer and of Dryden<sup>2</sup>—

“ Till old experience did attain  
To something like prophetic strain”—

<sup>1</sup> By the Code, 1, 4, 22, bishops are ordered to visit the prison once every week,—“ per unam cujus que hebdomadæ diem.”—*Translation from the Greek.* “ Quia inter opera misericordiæ non minimum est carceres visitare . . . jam pridem sanctissimi Episcopi sui muneris existimant carceres adlire, et captivorum curam agere.”—*Jus Ecclesiasticum*, VAN ESPEN, vol. ii. p. 321. The Council of Toledo required the bishop to visit prisons once a month.—*Ib.*, p. 36. S. Carlo Borromeo insisted much on this duty. “ Quam optanda sit in Episcopis . . . hæc cura,” says Van Espen ; “ nemo non fatebitur.”

<sup>2</sup> Beautiful as Dryden’s paraphrase is, it is not equal to the original. Chaucer gives an apostolic dignity to his pastoral character :— [“ Benign

even those retreats, which ought to have been the abodes of piety if not of learning, were too often the haunts of gross intemperance and systematic dissipation. The consciences of clergymen, indeed, did not yet allow them openly to join the ranks of sceptics, to translate the attacks of foreigners on the mysterious doctrines of Christianity, and to combine lucrative preferment and positions of dignity in the English Church, with an avowed disbelief in the inspiration of Scripture.<sup>1</sup> They had not learnt so to

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“Benign he was, and wonder diligent,  
And in adversity full patient.

\* \* \* \*

“And though he holy were, and virtuous,  
He was to sinful men not dispitous.

\* \* \* \*

“So drawn folk to heaven with faireness,  
By good ensample was his business;  
But it were any person obstinate,  
What so he were of high or low estate,  
Him would he snibben sharply for the nones.

\* \* \* \*

“He waited after no pomp nor reverence,  
He maked him no special conscience;  
But Christes lore, and his apostles twelve,  
He taught, but *first he followed it himself.*”

<sup>1</sup> Queen Caroline had much wished to make Dr. Samuel Clarke a bishop, but *he would not subscribe the articles again*. “I have often heard my father, Sir Robert Walpole, relate that he sat up one night at Kensington Palace with the Doctor till the pages of the backstairs asked if they would have fresh candles, to persuade him to subscribe again.”—WALPOLE'S *Diary*, p. 8.

In 1662 two thousand dissenters gave up their livings in one day, rather than comply with the Uniformity Act. They, it seems, had scruples unknown to modern deans, archdeacons, and beneficed clergymen. “We will make them knaves or beggars,” said Sheldon, He made them the last. In modern times they do not choose that horn of the dilemma.

The Toleration Act grants toleration to Quakers on the express condition that they shall declare their belief in the inspiration of Scripture. Now it is gravely said that the Church of England does not require this from her own

reconcile their pecuniary interest with their vanity, and at the same time to be paid for faith and admired for incredulity. But their language was looked upon by the upper ranks as conventional, and the footing in which, unless connected in some way with the higher classes, they were received in social life was that of humiliation and dependence.

The Roman Catholic hierarchy, in the florid language of Mr. Burke, showed their mitred fronts in courts and parliaments; they had been for ages, sometimes for good—more frequently for evil—the teachers and rulers of mankind. The Presbyterian clergy, on the other hand, exercised over the humble population which they taught assiduously, and over which they watched with excessive but parental vigilance, a vast influence derived from earnestness and self-denial. But the English Church, content to receive pay and titles as the price of insignificance and insincerity, were scorned by the powerful, with whom they aspired to associate, and hated by the lower classes, whom they affected to despise.<sup>1</sup>

clergy. To deny the inspiration of Scripture, until George the Third's time, was an offence punishable the first time by incapacity to hold any office, the second time by imprisonment for three years, and a disability to be guardian, executor, or to take any gift or legacy.—9 George II., c. 22. See Woolston's case, "Strange Reports," vol. ii. p. 834.

<sup>1</sup> "I must say, the main body of our English clergy has always appeared dead and lifeless to me, and instead of animating one another, they rather seem to lay one another asleep. I have observed the clergy in all the places through which I have travelled,—Papists, Lutherans, Calvinists, Dissenters,—but of all of them our clergy is most remiss in their labours in private, and the least severe in their lives."—BURNET. See APPENDIX.



Instead of acting like the Jesuits in the great struggle of the sixteenth and seventeenth centuries, when they recovered a third of Europe for the Church of Rome, and, setting up pulpit against pulpit, and school against school, or, if this was not possible, opposing learning to learning, books to books, voice to voice, to refute her enemies, and win the respect at least of her rivals, the Church sank into a state of torpid and supine indifference, such as in the Church of Rome had preceded the great awakening of the human mind in the sixteenth century.

To this must be ascribed the rise and progress of Methodism. It owed its origin to the same powerful cause that made so many Romans stoics in the days of Nero<sup>1</sup>—that produced the “*De Imitatione Christi*,” the works breathing a spirit of ascetic devotion of Santa Teresa and Thomas à Kempis; the ecstasies of Madame Guyon the mystic views of Fénelon; the school of Port Royal and La Trappe; nay, the glowing illusions of chivalry and romance; the struggle of the human mind against the prevailing evil, which presses upon and coils around it:<sup>2</sup>

<sup>1</sup> “In these times,” says Berkeley, “a cold indifference for the national religion, indeed for all matters of faith and Divine worship, is thought good sense.” Hume says exactly the same thing. “It is even,” Berkeley adds, “become fashionable to deny religion; and that little talent of ridicule is applied to such wrong purposes that a good Christian can hardly keep himself in countenance.”—*Works*, vol. iii. p. 63. He talks of the “prevailing prejudice against the dispensers of God’s word.”—Vol. iii. p. 110.

<sup>2</sup> 30,000 persons went to hear Wesley on Kennington Common.

to the desire to people the void of the soul, and to escape from the world around us, which is to the eye of reason so strong a proof that we are not evolved from senseless atoms, and there is in us something more than the scalpel of the surgeon or the crucible of the chemist can detect. In this form of faith the instincts of the human soul, so disregarded by the tedious and formal English worship, the yearning for what nothing on this side the grave can give, found what the clergy of the eighteenth century did not pretend to offer. The profound speculations and subtle logic of Clarke and Butler (I say nothing of the ambitious paradox of Warburton), were not intended for the colliers, down whose blackened cheeks the tears furrowed channels as they listened, for the first time, to Wesley, when he raised in them the consciousness that they, too, whom no Anglican dignitary had ever condescended to address, were nevertheless of large discourse, looking before and after. And the pompous ritual, with the scholastic garb, and vast income of the bishop, afforded as little consolation to the labourer and the mechanic,—worn out with toil, and exposed to numberless temptations, punished with merciless severity, and corrupted by vicious example,<sup>1</sup>—as the boisterous

<sup>1</sup> “Irreligion and bad example of those who are styled the better sort.”—BERKELEY, vol. iii. p. 112. See an account of the Rev. Mr. Patten, curate of Whitstable.—ANDREWS’ *Anecdotes*, p. 461. See APPENDIX.

mirth and clumsy exhortations of the rustic vicar, the satellite of a squire, less servile, as prejudiced, perhaps, but hardly coarser or more illiterate than himself.<sup>1</sup>

Yet attention to these neglected classes, who gave bread to the community, languishing in want and ignorance, and crouching under the weight of the whole social fabric, which rested, as it always must rest, on their labours, had been the test to which the Founder of the religion that the English clergy were appointed to inculcate, had appealed as a proof of its Divine origin; and the Roman Church, in its proudest days, when it distributed empires and trampled upon monarchs, had, with the deep sagacity ever to be traced in its policy, carefully provided for their instruction by turning the zeal and enthusiasm, which the Anglican prelate rejected with fastidious indifference, to the accomplishment of this very purpose. The English Church, however, though backed by all the power of the State, has never made a deep impression (as its ablest advocates admit) on the understanding and affection of the lower orders; instead of looking downwards to gain the suffrages of the people, it has looked upwards to obtain the favour of the magistrate. This tendency, if it added to the importance

<sup>1</sup> "Prevailing torrent of infidelity."—BERKELEY, vol. iii. p. 110. "Prevalence of atheism and irreligion."—*Ib.*, p. 250.

of individual members of the hierarchy, took away from the influence of the body. The turbulent attempts of Atterbury and the Jacobites, had led to virulent disputes between the Upper and Lower House of Convocation. The Lower House, soon after the accession of George the First, made a violent and scandalous attack on Hoadley, Bishop of Bangor, for a sermon inculcating the principles of religious liberty. This gave rise to the Bangorian controversy. The arguments of Hoadley's adversaries were received by the public in England with profound indifference, and the indecent scene was closed by the prorogation of both Houses in 1717,<sup>1</sup> which from that time, till the reign of Queen Victoria, were wisely forbidden to sit for the transaction of business, and thus deprived of the power to make themselves ridiculous. What is now puerile might then have been absolutely mischievous, and as since 1664 the clergy have ceased to tax themselves, and as they have no power to make canons binding on the laity, it was evident that to call them together—besides that it prevented them from being, as a Protestant clergy ought to be, let down and melted into the body of the people—could answer no

<sup>1</sup> "They desired that some synodical notice might be taken of the dishonour done to the Church by a sermon preached by Mr. Benjamin Hoadley, at St. Lawrence, Jewry, September 29, 1705, containing positions contrary to the doctrine of the Church, expressed in the first and second parts of the homily against disobedience and wilful rebellion."—WILKINS, vol. iv. p. 634.



constitutional or useful purpose, and, from their conduct in 1603, in 1640, and during the reign of Queen Anne, as well as from their recent exhibition, it might reasonably be inferred could serve only to shock the pious, to inflame the bigoted, and to bring religion into contempt.

If we consider the social state of the country,<sup>1</sup> we shall find, with the exception of some few among the more educated classes, the nation sunk into a degree of brutality almost inconceivable,<sup>2</sup> and forming in this respect a great contrast to the condition of most European countries. That this was the case is apparent from every circumstance we can apply as a test of refinement,—the manners of the upper classes, the conduct of the lower, literature,<sup>3</sup> politics,

<sup>1</sup> Montesquieu's "*Pensées sur l'Angleterre*,"—which were not written for the public eye, like the passages on the "*Esprit des Loix*," but were the genuine opinions of a man of wonderful intellect, living in the best society,—fling great light upon our social condition at this time. He dwells on the unsocial character of the English. He says, "C'est une chose lamentable que les plaintes des étrangers qui sont à Londres. Ils disent qu'ils ne peuvent y faire un ami." (Dr. King corroborates this in his epitaph.) Montesquieu says:—"La corruption s'est mise dans toutes les conditions. . . . L'argent est ici souverainement estimé, l'honneur et la vertu peu. . . . Comme on ne s'aime pas ici . . . on devient dur. Les Anglois ne sont plus dignes de leur liberté. Ils la vendent au roi. . . . Il me semble qu'il se fait bien des actions extraordinaires en Angleterre, mais elles se font toutes pour avoir de l'argent. Il n'y a pas seulement d'honneur et de vertu ici, mais il n'y en a pas seulement l'idée."

<sup>2</sup> Lord Carlisle (writing, 1769), who was at the head of the fashionable society of his day, says, "Is the old Club as polite and well-bred as it used to be? I wish the old Club could be sent abroad to learn manners, and forget all their old customs." He quotes a gross phrase, and says, "——— would then be thought uncivil, perhaps, and —— (another) vulgar."—*Selwyn Corres.*, vol. ii. p. 206.

<sup>3</sup> "Le roman," says a great living writer, "est l'histoire privée de la société." —VILLEMAIN, *Tableau*, &c.

above all, the law. The habits of George the First and George the Second were, like those of most German rulers, coarse, profligate, and repulsive. In their court, beset by rapacious Germans, and women hired to be licentious, vice appeared in full and unredeemed deformity. The people of England, obtuse and corrupted as they were, saw with scorn and disgust the gross disregard of all the courtesies and decencies of life, which the enslaved inhabitants of the little states of Germany<sup>1</sup> submitted to, as they still do, with helpless servility, but which to them had been comparatively unknown. William the Third, though his demeanour was cold, was venerated as a hero and a statesman. Queen Anne, though weak and prejudiced, was always courteous and benevolent. And the cheerful temper, the admirable manners, superficial good nature, and excellent common sense of Charles the Second, cast a veil, even to this hour not quite removed, over his enormous depravity: his habits were those of a voluptuary in a harem; the habits of George the Second resembled those of a quadruped in a pasture. The worst faults of an aristocracy pervaded the wealthy classes,<sup>2</sup> and as the reigns I am speaking of

<sup>1</sup> See Thummel's "Wilhelmine" for a picture of this, and for a later period Von Lang's "Memoirs."

<sup>2</sup> "This corruption has become a national crime, having infected the lowest as well as the highest among us; and is so general and notorious, that as it cannot be matched in former ages, so it is to be hoped it will not be imitated by posterity."—BERKELEY.

were mainly pacific, they did little but receive the wages of corruption in public, or pass the time away amid coarse debauchery and inelegant amusement in private life. The immorality of men and women of condition was so gross and undisguised as to demand all the proofs, from various sources, on which the evidence of it is established before we can give it credit.<sup>1</sup> Too many Englishwomen of rank had all the caprice and levity of their sex, without its gentleness or refinement. They behaved sometimes with a shameless impudence,<sup>2</sup> that could not have been ex-

<sup>1</sup> "The world improves in one virtue to a violent degree, I mean plain dealing. Hypocrisy being, as the Scripture declares, a damnable sin, I hope our publicans and sinners will be saved by the open profession of the contrary virtue; . . . to speak plainly, I am extremely sorry for the forlorn state of matrimony, which is as much ridiculed by our young ladies as it used to be by young fellows; . . . the appellation of rake is as genteel in a woman as it is in a man of quality."—LADY M. WORTLEY'S *Letters*, vol. i. p. 160; see p. 141. This was 1723; in 1754 the Princess Dowager complains to Doddington "of the universal profligacy of young people of distinction, women especially, making themselves so very cheap."—DOD., *Diary*, p. 326. Fielding, Chesterfield, Young, Churchill, Richardson, Berkeley, Butler, all agree on this point. "Half-a-crown," says Chesterfield, "will dissolve the strongest ties of friendship." "When," says Berkeley, "were our neighbours (the English) known to abound to that degree in highwaymen, murderers, housebreakers, incendiaries? When did such numbers lay violent hands on themselves? When were there known among them such public frauds, such open confederacies in villany, as the present age has produced? When were they lower in the esteem of mankind, more derided at home, or more insulted abroad?"

<sup>2</sup> See Lady Mary Wortley's account of the attack on the House of Lords, headed by the Duchesses of Queensberry and Ancaster.—See APPENDIX. The Duchess of Ancaster, with several other ladies, went in men's clothes to a masquerade, which was thronged by women notorious for vice in its lowest form.

"The influence of religion is more and more wearing out of the mind of men. The number of those who call themselves unbelievers increases, and with their numbers their zeal. The deplorable distinction of our age is an avowed scorn of religion in some, and a growing disregard of it in the generality."—BUTLER'S *Charge*.



ceeded by the lowest of their species. Nor was there less to blush for in the public conduct of those entrusted with the interest of the nation. The rebellion of 1745,<sup>1</sup> when a rabble of half-naked savages put the English crown in jeopardy, as well as the battles of Fontenoy, Roucoux, and Laufeldt, Hastenbeck, and Dettingen<sup>2</sup>—where the courage of the common soldier only made the incapacity of his leaders more conspicuous—shows the deplorable state of military science among us ;<sup>3</sup> and the history of Lord George Sackville is a proof that a man of rank might disgrace the English name in the eyes of Europe, and, although a branded coward, afterwards attain the highest honours by which a free country can reward the services of her most deserving children.

From all the writings which describe the manners of the time, it is clear that persons of condition were, unless for the most flagrant crimes, really beyond all

<sup>1</sup> Browne's "Estimate," p. 91.

<sup>2</sup> The reply of an English private—who, after displaying extraordinary valour in one of these battles, lost by the incapacity of the Duke of Cumberland, had been taken prisoner—to a French officer, accurately describes the cause to which the misfortunes of many an English army must be ascribed. "Had there been 50,000 men as brave as you are," said the officer, "we should have been defeated." "It was not," answered the soldier, "50,000 men like me that were wanting, but one like Marshal Saxe."

<sup>3</sup> Tacitus says, as a proof of the proficiency of a German tribe (the Chatti) in the art of war, that like the Romans they were accustomed "*plus reponere in duce quam in exercitu.*" Our military history, in spite of some great exceptions shows a state of things exactly the reverse.



legal restraint.<sup>1</sup> Though, according to the letter of the law, all men were equal, in reality to a poor man not only was justice literally unattainable, but poverty was a crime for which, while members of Parliament<sup>2</sup> were openly setting themselves to sale, and paymasters embezzling the public money, and directors of charitable societies<sup>3</sup> robbing the poor with perfect impunity, the peasant was treated as a convicted malefactor;—he might be scourged, and, before he could obtain relief, was bound to show that he had suffered this ignominious and slavish punishment. He might be transported, for, by an Act of Parliament, passed in the reign of George the First,<sup>4</sup> it is expressly provided that, besides convicts, &c., any person who has received workhouse relief, may

<sup>1</sup> "Lord Taaffe and Mr. Montagu broke into a Jew's house at Paris, and took from him diamonds, jewels, and a large sum of money, on pretence of paying themselves a gambling debt won from the Jew when he was drunk. They were flung into prison."—*Selwyn Correspondence*, vol. i. p. 32; *Nicholls' Anecdotes*, vol. i. p. 629.

"People of quality are never punished."—PASQUIN. *Fielding's Works*, vol. iii. p. 264.

"Do you threaten *me* with the law?" says Lovelace to Clarissa, after his outrage.

"Here I must again remind the reader that I have only the inferior part of mankind under my consideration. I am not so . . . ignorant as to imagine that there is a sufficient energy in the executive part to control the authority of the great, who are beyond the reach of any unless capital laws."—FIELDING, *Causes of the Increase of Robbers*, vol. x. p. 369.

<sup>2</sup> "He (Pelham) knew I had a good deal of marketable ware," says Doddington, coolly, in his *Diary*.

<sup>3</sup> "Corporation to assist the poor by lending money on pledges, 1730."—EDEN, p. 290. Only £30,000 forthcoming out of £500,000!—*Hist. Reg.*, 1782, p. 108.

<sup>4</sup> 4 George I., c. 11.

be transported to North America ; and (such was the humanity of the judge-made law, and so great was the wisdom of trusting to the judges of that day any portion of legislation) he might, if unjustly accused of felony, and formally acquitted by the jury, instead of receiving any amends for his guiltless suffering, be sent back to prison, because he could not pay the gaoler's fees, due solely in consequence of that unjust incarceration.<sup>1</sup> It is difficult to find, in the history of the most despotic countries in the darkest ages, proofs of more stupid and revolting injustice ; but to read them accumulated in our legislation—not extorted by terror, not inspired by fanaticism, not extenuated by passion—as the calm language of senators and judges in a great and free country, is indeed a melancholy proof of the inveterate selfishness of man's nature, as it is fashioned by modern doctrines, and of the fatal indifference of the English to everything they cannot touch, lock up, count, weigh, or measure. This is not all ; our criminal law<sup>2</sup>—at that time the inexorable scourge of the lower orders, cart-loads of whom were carried off every month to execution—administered in that day too frequently by corrupt and ignorant

<sup>1</sup> See *Gentleman's Magazine*, vol. xxii. p. 24. 1752.

<sup>2</sup> 12 George I., c. 22. Robbing a fish-pond a capital felony. 12 George I., c. 34, 22 George II., c. 27. Acts for placing workmen at the mercy of their employers. 17 George II., c. 5. All persons pretending to skill in physiognomy to be whipped.

judges, generally, as any one who turns to the reports of the period will see, by narrow-minded and inferior men, was—for the cruelty, multitude, and inutility of the punishments it inflicted, no less than for the caprice and brutality with which it was abused by the lower officers of justice, and the bottomless magazine of absurdity in the technical forms, rules, and language to which the lawyers clung with interested tenacity—in all probability the worst, for its effects upon the temper and morals of the community, in civilised Europe. Our civil law, coarse without simplicity, and subtle without reason, destitute of all principle, and governed by the chicane of the dark ages, and a logic, the refuse of the schools, was exactly such as those interested in fomenting litigation—whom the English (and it is a strange proof of practical sense) have always allowed to make it—would desire that it should be.

How useful the savage punishments,<sup>1</sup> inflicted as a matter of course, were, may be judged of from the

<sup>1</sup> “It is shocking to think what a shambles this country is grown. Seventeen were executed this morning. One is forced to travel, even at noon, as if one was going to battle.”—WALPOLE’S *Letters*, March 23, 1752; vol. ii. p. 281.

“You will hear little news from England but robberies.”—*Ib.*, Jan. 31, 1749.

“We brutalise more and more.”—*Ib.*, vol. ii. p. 190.

“People are afraid of stirring after dark. Lady Albemarle was robbed the other day in Great Russell Street, by nine men.”—*Ib.*

“His (a highwayman’s) profession grows no joke. I was sitting in my own dining-room on Sunday night, the clock had not struck eleven; I heard a cry of ‘stop thief!’ A highwayman had attacked a post-chaise in Piccadilly.”—*Ib.*, Sept. 20, 1750, p. 228.

“Murders, robberies, many of them attended with acts of cruelty, were never



fact that highway robberies were committed in broad day, in the most frequented streets and suburbs of London; and that a man might go to Jerusalem with more safety than he could travel ten miles from the metropolis. The lower orders were almost absolutely neglected: one out of every ten was certainly a pauper or a felon. Ignorance,<sup>1</sup> filth, disease, unwholesome employments, large cities, occasional famine, bad habits, bad laws worse administered, were rapidly brutalising and degrading the mass of the population. Education,<sup>2</sup> in the true sense of the word, was unknown, as it is now indeed, among them; and the most venial transgressions of a law habitually disregarded by their superiors, were punished with all the severity due to the most enormous crimes. The most frightful sufferings were inflicted upon them even in the capital by gaolers

more frequent about this city than during this and last month."—*Ann. Reg.*, 1762, p. 189.

"Villany is now arrived to such a height in London, that no man is safe in his own house."—*Ib.*, 1772, p. 8.

"If I am to be assaulted, pillaged, and plundered; if I can neither sleep in my own house, nor walk the streets, nor travel in safety, is not my condition," &c.—FIELDING, *Tract on Increase of Robbers*, vol. x. p. 348.

"I make no doubt the streets of this town, and the roads leading to it, will shortly be impassable without the utmost hazard."—*Ib.*, p. 450.

<sup>1</sup> "The nation is sunk into the lowest state of degradation; the people are not only vicious, but insolent beyond example."—LORD CHESTERFIELD'S *Speech on the Gin Act*.

<sup>2</sup> Can anything show a greater want of practical sense than the present system, carried on at an enormous expense, and utterly inadequate to its objects? Facility in stringing together centos of Greek iambics, does not necessarily qualify any one to instruct ploughboys and dairymaids, or indeed anybody else.



and constables,<sup>1</sup> the vilest and most mercenary ruffians. The condition of our prisons, as it has been described on the most authentic testimony, shows the entire and profound indifference of the legislature, to those who could not aid them in acquiring the means to satisfy the avarice or the vanity of its members. If our armies were recruited by delusion, our fleets were manned by violence. Thus, sometimes smarting under what went by the name of law,<sup>2</sup> sometimes wallowing in the coarsest sensuality,<sup>3</sup> the populace<sup>4</sup> became every hour more hardened, dissolute, ferocious, and mercenary, making the indulgence of the vilest passions and the gratification of the basest appetites the sole standard of their happiness.<sup>5</sup> The reader of the state trials, of the reports laid before Parliament, and of the events recorded in the historical or annual register, as having taken place in England, sometimes in the provinces, sometimes in the very heart of the metropolis; of the

<sup>1</sup> "The greatest criminals in this town," writes Walpole, giving an account of the murder of several women by some drunken constables, none of whom were punished, "are the officers of justice. There is no tyranny which they do not exercise, no villany of which they do not partake."—*Letters*, vol. i. p. 191.

<sup>2</sup> Sept. 22, 1783, fifty-eight persons received sentence of death, really to be executed at the Old Bailey.

<sup>3</sup> "Painted boards invited the poor to be drunk for a penny, dead drunk for twopence—straw for nothing."

<sup>4</sup> 1751. See committee to inquire into the causes of vice in the lower orders.

<sup>5</sup> "The mob very nearly tore in pieces Radcliffe, a prisoner of war, taken on board the *Soleil*, mistaking him for the Cardinal of York. Radcliffe said he had heard of the ferocity of London mobs, but could not have imagined they were so very dreadful."—WALPOLE'S *Letters*, vol. ii. p. 89.

sentences pronounced by our judges, and of the arguments used before them, might almost imagine that he is reading the narrative of Gregory of Tours, or the history of some tribe in the infancy of civilisation. He will find a Chief Justice<sup>1</sup> gravely stating that in a case of life and death a mistake in a special plea is fatal, and excludes the accused from a trial on the fact. Sometimes he comes to an account how, not by any sudden impulse of passion, but by the deliberate sentence of the law, speaking through a grave magistrate, men are pressed to death, and women burnt alive,<sup>2</sup> and punishments formally ordered, and often executed,<sup>3</sup> in barbarity not sur-

<sup>1</sup> See Ratcliffe's case, Foster's "Crown Law," p. 43. Such cruel pettifoggery could have happened nowhere but in England. Foster remonstrated in vain.

<sup>2</sup> The "Annual Register," 1777, says, as a matter quite of course, "William Lavy and Sarah Parker, who were convicted in October sessions for counterfeiting silver coin. Lavy is to be hanged, and Parker burnt" (p. 168).

June, 1786, six malefactors were executed before the gaol in Newgate. Phœbe Harris was burnt about the same time for counterfeiting shillings. Compare this with the impunity of Arne and Huggins!

<sup>3</sup> "Let the several prisoners above named return to the gaol of the county of Surrey, from whence they came, and from whence they must be drawn to the place of execution; and when they come there they must be severally hanged by the neck, but not till they be dead, for they must be cut down alive, then their bowels must be taken out and burned before their faces; then their heads must be severed from their bodies, and their bodies severally divided into four quarters, and these must be at the king's disposal."—*State Trials*, vol. xviii. p. 351.

"*State Trials*," vol. xix. p. 735. See the execution, under an Act of attainder, of Doctor Cameron, the brother of Lochiel, a man of exalted virtue, in 1753. A late writer (Macaulay, vol. iv. p. 769) is mistaken in saying that Sir John Fenwick's case is the last in which any Englishman, "*inauditus tanquam innocens*," has suffered death by bill of attainder. Cameron died with the

passed by those the wild Indians inflict upon their prisoners. Sometimes he reads how men of letters, for having used expressions much less offensive than are to be met with in the pages of the most classical English writers, are, at the will of a judge, placed in a position where they may be pelted to death by every brutal ruffian in the London mob.<sup>1</sup> Sometimes how, by employing the law as an instrument,<sup>2</sup> a swindler has brought family after family to ruin,<sup>3</sup> and flung fathers of families who had never heard of his name into prison, there, unless they were

most heroic courage, and his execution is a foul blot on the age in which he suffered. He had saved the lives of hundreds in the rebellion, into which he was driven by his brother. "As soon as he came to the Tower gate, he was put into the hurdle. The Doctor entreated the favour of the sheriff that he would give orders to let his body hang till it was quite dead before the executioner began his further operation."—FOSTER'S *Crown Law*, p. 109.

<sup>1</sup> "Ann. Reg.," 1758, p. 99; and see especially *Ibid.*, 1780, p. 207, where it is said "one man perished in the pillory." This was denounced by Burke, who moved for a criminal information against the editor of a paper for paragraphs abusing him in consequence. When there was a rumour that Ben Jonson was to be sentenced to the pillory, his mother, in the grand Cornelia-like spirit so denounced by our church, brought him poison to save him from degradation.

<sup>2</sup> The Bastile was bad enough, but the prisoners there were seldom treated harshly, and one or two ministers only could make use of it. But every gaol in England was at the disposal of every ruffian who chose to make a false affidavit, and speedy death would have been merciful, compared with the tortures inflicted by the gaoler, if he thought proper, on its inmates. There is nothing in the annals of the Bastile so shocking as the trials of Arne, Huggins, and Acton disclose.

<sup>3</sup> James Bolland, who was hung at last for forgery. He was a sheriff's officer ("Ann. Reg.," 1772, p. 84, and p. 54.); Wilkinson, a man of property, all whose goods he seized by means of a fictitious bond and judgment. . . . "In vain Wilkinson had recourse to the law; he was harassed by every possible subterfuge, and compelled to take refuge abroad to qualify himself for the insolvent act." He drove one woman mad, and when her husband came home, in order to prevent him from bringing an action, he had him arrested for a considerable sum, whereby he gained time, the husband being unable to obtain bail.



rich enough to buy the services of an attorney, to languish for months without redress, and not unfrequently to perish altogether; or he finds the account, formally given by the House of Commons, how the person, entrusted with the custody of debtors, puts one after another of the miserable wretches, who cannot pay the fees he chooses to extort from them, to a cruel and lingering death;<sup>1</sup> and he finds the judge, who has sentenced hundreds to death for stealing to the amount of five shillings, making himself an accomplice after the fact to this appalling crime, showing the strongest sympathy for the man whom it is indulgent to call a murderer, in the English meaning of the phrase, snatching him from the grasp of justice, and securing entire impunity to his crime; or he reads how three women are executed for trifling offences, all of whom, says the statement,<sup>2</sup> were drunk; or how Chief Justice Lee<sup>3</sup> tells the magistrates of the city that unless some change is made in the management of the Old Bailey it will be impossible to attend the sessions, as twenty of the barristers and witnesses died the last time from the noisome stench of the prisoners. How a murderer was acquitted,<sup>4</sup> because the evi-

<sup>1</sup> "State Trials," vol. xvii., p. 298, *et seq.* Trial of Arne, Huggins, Bainbridge, and Acton, for successive murders. They were acquitted on all, in spite of the clearest evidence. See APPENDIX.

<sup>2</sup> *Gentleman's Magazine*, vol. xx., 1750, June, p. 328.

<sup>3</sup> *Ibid.*, May.

<sup>4</sup> *Ibid.*, May, 1753



dence of a child of nine years old could not be received. How another escapes because leading questions could not be put to a paralytic witness.<sup>1</sup> How an old woman, accused of witchcraft, is stripped to her shift, and weighed before the parishioners in the church, against the parish Bible.<sup>2</sup> How ladies of condition are mobbed in the park,<sup>3</sup> some of whom are saved with great difficulty, and one of whom dies from the ill-usage. How a man, tried for flinging a sick child into the sea, is acquitted on the ground that there "could be no premeditated malice in such an act."<sup>4</sup> How four constables, convicted of the abuse of their office, in wantonly dragging a gentlewoman to prison, to extort money from her, are, on account of their poverty, only sentenced by the judge to two months' imprisonment.<sup>5</sup> How two bailiffs, who committed a most ferocious murder on a prisoner in their power, for refusing to give them what they required, are acquitted by the strong exertions of

<sup>1</sup> "Ann. Reg.," 1780, p. 236.

<sup>2</sup> Susannah Hannocks, accused of bewitching her neighbour's spinning-wheel. She outweighed the Bible, and was honourably acquitted.—*Ann. Reg.*, 1759, p. 73.

<sup>3</sup> "Ann. Reg.," 1759, p. 89. "Walpole's Letters." "Grenville's Correspondence," vol. i. p. 309: the beautiful Lady Coventry was one.

<sup>4</sup> "Ann. Reg.," 1759, p. 77. The judge said the accused in this case (captain of a slave ship) seems to have departed from the *usual tenderness of his character*!

<sup>5</sup> *Ibid.*, 1759, p. 128. Sir John Pratt, father of Lord Camden, was the judge.

the judge.<sup>1</sup> How, while two men were hanging, a child, nine months old, was put into the hands of the executioner, who nine times stroked the child with a hand of one of the dead bodies.<sup>2</sup> How the badness of the provisions at Portsmouth occasioned a mutiny, for which, instead of hanging the contractor, fifteen of the poor creatures, maddened by ill-treatment, were sentenced and put to death.<sup>3</sup> How an English privateer cutter, with the crew disguised, boarded an English ship close to the North Foreland, and robbed the crew and passengers of two thousand pounds in goods and money.<sup>4</sup> How, not the guards of a tyrant at Calcutta, but several constables, took up every woman they met, till they collected five or six and twenty, whom they thrust into prison, where they were kept all night with the doors and windows closed; how the poor creatures screamed in vain for mercy; how four were taken out dead,<sup>5</sup> and the rest in a dreadful state. How a man, aged seventy-four, was hanged for the murder of a child three days old, said to have been committed thirty-four years ago.<sup>6</sup> How a woman is kidnapped.<sup>7</sup> How the crew of a Scotch vessel are murdered on board their own ship, in the port of

<sup>1</sup> "State Trials," vol. xvi. p. 1. Trial of Hugh Reason and Robert Tranter.

<sup>2</sup> "Ann. Reg.," 1758, p. 89.

<sup>5</sup> "Ann. Reg.," 1759, p. 78.

<sup>3</sup> Ibid., 1758, p. 78.

<sup>6</sup> Ibid., 1759, p. 131.

<sup>4</sup> "Walpole's Letters," vol. i., p. 191.

<sup>7</sup> Ibid., 1759, p. 138.

London.<sup>1</sup> How a sheriff's officer draws his sword, and falls on the crowd, cutting indiscriminately men, women, and children.<sup>2</sup> How two footpads shot a gentleman dead in Holborn.<sup>3</sup> How, between the years 1700 and 1750, one million and a half of human creatures,<sup>4</sup> at the very lowest computation, had been carried in English ships, manned of course by Christians, from Africa, one-eighth of whom were fortunate enough to find a grave in the ocean. How a man, indicted for bigamy, was acquitted by the express direction of the judge, because he had married *three* wives.<sup>5</sup> How a girl, under thirteen, convicted of having robbed her father of fifteen pounds, was branded and imprisoned for six months.<sup>6</sup> How a husband, wishing to get rid of his wife, swears a debt against her in her maiden name, and flings her into a sponging-house; how the attorney, who came to her from her husband, on her refusing to sign a paper renouncing all claim on him, ordered her to be taken to Newgate, and how the Court of Common Pleas<sup>7</sup> would not say the attorney's conduct was illegal. How another husband fastened his wife to a staple by a rope,

<sup>1</sup> "Ann. Reg.," 1758, p. 117.    <sup>2</sup> *Ib.*, 1759, p. 89.    <sup>3</sup> *Ib.*, 1758, p. 109.

<sup>4</sup> "We, the British Senate, the Temple of Liberty, have this fortnight been pondering methods to make more effectual that horrid traffic of selling negroes; it has appeared to us 46,000 of these wretches are sold every year to the plantations."—WALPOLE'S *Letters*, vol. ii. p. 19.

See *Gentleman's Magazine*, 1753, p. 97, for an account of a mutiny on board a slave ship.

<sup>5</sup> "Ann. Reg.," 1777, p. 197.

<sup>6</sup> *Ibid*

<sup>7</sup> *Ibid.*, 1780.



her hands being secured by iron handcuffs, placing a very little food within reach of her mouth, and tying her up so tight that her toes only could touch the ground, till she perished.<sup>1</sup> How, in the same year,<sup>2</sup> one woman was convicted of murdering her father, another of murdering her uncle, a man of the murder of his son, and another man, by repeated acts of torture, of the murder of his daughter. How four young noblemen at Oxford kill a servant for refusing to drink the Pretender's health.<sup>3</sup> How, notwithstanding the enormous sum levied on pretence of charity, several persons perish with cold in London streets.<sup>4</sup> How people guilty of a trifling riot are executed for high treason.<sup>5</sup> How the Queen<sup>6</sup> narrowly escaped being robbed, returning in her state carriage from Guildhall.<sup>7</sup> How the Neapolitan ambassador was robbed in Grosvenor Square, by four men who stopped his carriage.<sup>8</sup> How ninety-six persons were executed at the Old Bailey between

<sup>1</sup> "Ann. Reg.," 1767, p. 47. Mrs. Brownrigg is in the same volume.

<sup>2</sup> 1752. See "State Trials," H, vol. xviii., pp. 1118, 1194.

<sup>3</sup> Horace Walpole tells the story, and remarks, "one pities the poor boys."

<sup>4</sup> "Ann. Reg.," 1760, p. 67. Fielding's "Increase of Robbers," "Account of the Sufferings of the Poor," vol. x. p. 433.

<sup>5</sup> Ibid., 1758, p. 92.

<sup>6</sup> Caroline, in 1728. She was saved because the gang were occupied with robbing Alderman Heathcote as her carriage passed. See address of Lord Mayor and Aldermen (1744), stating the streets to be almost impassable.

<sup>7</sup> "Ann. Reg.," 1784, p. 226.

<sup>8</sup> Ibid., 1777, p. 186. 25 George II., c. 37, an Act for preventing the horrid crime of murder. "Whereas the horrid crime of murder has of late been more frequently perpetrated . . . particularly in and near the metropolis," &c.



February and December. How an association was formed of boys and men, the boys to pick pockets, and the men to deliver them by cutting the person robbed across the eyes.<sup>1</sup> How a man murdered and ate part of his mistress.<sup>2</sup> How ten tailors are sentenced to a year's imprisonment in Newgate, for peacefully agreeing to raise the rate of wages;<sup>3</sup> and, in the same volume, how a man is fined three shillings and fourpence for an attempt to ravish his wife's grandmother.<sup>4</sup> How a man who cut his wife's throat with a razor when she was asleep, was acquitted because he did not "disable her tongue, or put out her eye, or cut off her nose, or disable any limb."<sup>5</sup> How another man, who mutilated his two apprentices,<sup>6</sup> one of eight, the other of sixteen, escaped all serious punishment because he did not "lie in wait."<sup>7</sup> How four men were executed for high treason at York, in a riot provoked by a cruel and unjust law.<sup>8</sup> How, in a trial for high treason, the time of the court was occupied for several

<sup>1</sup> "Ann. Reg.," 1765, p. 214.

<sup>2</sup> *Ibid.*, 1777, p. 184.

<sup>3</sup> *Ibid.*, 1765, p. 79. The law allowed the masters to combine against the men to lower wages, but punished the men who combined to raise them.

<sup>4</sup> *Ibid.*, 1765, p. 82.

<sup>5</sup> *Ibid.*, 1763, p. 89.

<sup>6</sup> In the sense of Lucan—

"Infelix ferro molita juventus,  
Atque exsecta virum."—*Lib. x. p. 134.*

<sup>7</sup> "Ann. Reg.," 1764, p. 69, the words of the Coventry Act.

<sup>8</sup> *Ibid.*, 1758, p. 92.

"We have a civil war at home, literally so in many counties; the wise lords have made the Militia Bill so preposterous that it has raised a rebellion."—CHES-TERFIELD, vol. iv. p. 106.

hours by an argument that the criminal ought to escape because his Christian name was spelt with an "o" instead of being spelt with an "e."<sup>1</sup> How, in another trial, it was argued also—and the argument gave rise to grave and serious doubt—that an assassin ought to escape because he was accused of intending to mutilate, whereas he intended to murder his victim.<sup>2</sup> How victim after victim perished, or was goaded to lunacy, from privations in private madhouses, into which he had been sometimes carried by violence, and sometimes entrapped.<sup>3</sup> How perjury was a regular trade, indicated by a particular sign.<sup>4</sup> Or (in the midst of judicial panegyrics on English law, and the good fortune of those who are happy enough to live under its protection) he will find Government

<sup>1</sup> Laver's case.—*State Trials*, vol. xvi. p. 94.

<sup>2</sup> Woodburne and Coke's case.—*Ib.*, vol. xvi. p. 54.

<sup>3</sup> "Parl. Hist.," vol. xv. p. 1290. The Report alleges the evidence of several women entrapped into private madhouses in London, detained there for different periods, owing their release to mere accident. Dr. Battie, a physician distinguished for his knowledge in cases of lunacy, being asked if ever he had met persons of sound mind in confinement for lunacy, said it frequently happened. He related the case of a person at Manchester, whom he found in confinement for lunacy, and who he believed had been for some years in this confinement. He found him chained to his bed. . . . Being dismissed, he never heard anything more of the unhappy patient till Macdonald told him some time after he had died of a fever, . . . and a sum of money at his death devolved on the person who had charge of him.

Dr. Monroe does not doubt that several persons have been improperly confined on pretence of lunacy, &c.

<sup>4</sup> Walking about Westminster Hall with a straw in the shoe.

"There being no nation under the sun where solemn perjury is so common, or where there are such temptations to it."—BERKELEY, vol. iii. p. 81.

seizing by violence, and sometimes after a desperate resistance, on men to serve in the fleet;<sup>1</sup> and a trading company, without the slightest legal authority, which when they asked for it was formally refused to them, kidnapping by an organised system, with entire impunity, the poorer class of English citizens, to transport them to an unhealthy climate,<sup>2</sup>

<sup>1</sup> "Hottest press for seamen ever known—800 swept away. The crew of the *Prince of Wales*, a letter of marque ship, stood to arms, and saved themselves by their resolution."—*Ann. Reg.*, 1758, p. 99. See Franklin's admirable remarks on Judge Foster's vindication of this practice. (Vol. ii. p. 332.) "If the alphabet should say, 'Let us all fight for the defence of the whole,' that is equal; but if they should say, 'Let A, B, C, D go and fight for us, while we stay at home and sleep in whole skins,' that is not equal, and therefore cannot be just."

This has not escaped Voltaire:—"Un jour en me promenant sur la Tamise, l'un de mes rameurs voyant que j'étais Français, se mit à m'exalter d'un air fier la liberté de son pays, et me dit en jurant Dieu, qu'il aimait mieux être Batelier sur la Tamise qu'Archevêque en France. Le lendemain je vis mon homme dans une prison auprès de laquelle je passais; il avait les fers aux pieds et tendait la main aux passants à travers la grille. Je lui demandai s'il faisait toujours aussi peu de cas d'un archevêque en France. Il me reconnut. 'Ah, Monsieur, l'abominable gouvernement que celui ci! On m'a enlevé par force pour aller servir sur un vaisseau du Roi en Norwège. On m'arrache ma femme et à mes enfans, et on me jette dans une prison, les fers aux pieds, jusqu'au jour de l'embarquement, de peur que je ne m'enfuie.' Le malheur de cet homme et une injustice si criante me touchèrent sensiblement, un Français qui était avec moi; m'avoua qu'il sentait une joie maligne de voir que les Anglais qui nous reprochent si hautement notre servitude étaient esclaves aussi bien que nous."

<sup>2</sup> "The scandalous method by which the company raise their militia should be abolished. There is but one season of the year when they can raise them at all, and then they are shut up in lock-houses."—LORD CLIVE'S *Speech*, "*Cavendish Debates*," vol. i. p. 262, 1769. And this in a country calling itself free; where game, deer, fish, and young trees, were protected by the most terrible laws, and where the fox is still as sacred as Apis was in Egypt! Of course nothing was done to redress the evil, which only affected the helpless. The mob sometimes took the law into their own hands, and broke open the dungeon in which their countrymen were confined.

The master of a lock-up house in Chancery Lane, was tried before the Lord Chief Justice Mansfield, on an indictment for a conspiracy with a Middlesex magistrate, to inveigle, kidnap, and carry out of the kingdom, several persons.



there to be the instrument of it in carrying on unjust wars, and in wringing from the miserable natives of Bengal, not for the national benefit, but for their own private advantage, whatever avarice the most insatiable could require—that is to say, in perpetrating all the foul crimes, all the acts of secret fraud and open violence from which that empire in the East, which has been so loudly boasted of, and which it may be now perhaps impossible to abandon, but which, if justice, truth, honour, and humanity are more than useful phrases, is a disgrace to our character as a nation, originally sprung, by which it has been raised, and on which, till within these last six years—from the deed forged by Clive to the scandalous annexation of Oude—it has been supported, increased, and held together. Such was the practical education which the lower orders in England, during the eighteenth century, received

It appeared great cruelties had been committed on a man unjustly confined there, by beating him with the thick end of a horsewhip, &c., and carrying him away under a strong guard in the dead of the night, on board a ship lying before Gravesend. On the clearest evidence he was found guilty.—*Ann. Reg.*, 1768, p. 123.

“One of the crimps met with a young fellow, and told him he would treat him with a pot of beer if he would only say he was just enlisted to serve in the East India Company. The man refused; on which the man pulled a paper out of his pocket, and said he had a warrant against him for stealing a silver tankard, a trick to get the young man into a lock-up house;—a trick generally used to get young men into lock-up houses, where they are confined in such a manner as to make it impossible they should acquaint their friends with their situation.”—*Ann. Reg.*, 1767, p. 83.

A Middlesex justice convicted of falsely declaring a person liable to be pressed as an idle and disorderly person.—*Ib.*, 1780, p. 236.



from the Church, the law, the example of their superiors, and the institutions under which they lived. How they profited by it any one may judge who reads the scanty extracts I have gleaned from the volumes to which I have referred, and in which are chronicled murders, robberies, and wanton acts of fiendish cruelty, not exceeded by those which have been transmitted to us as having taken place under the Merovingian dynasty, together with the frauds, chicane, and meanness which are the evils of a more advanced civilisation. Nor is this surprising if we consider the influence the law must have on the manners of a people, from the character of whom it flows and on which it reacts with a noiseless but powerful and incessant operation.

In other tests of the national character of the English there are marks of good as well as of evil. Our language, besides the defects incident to the other languages of modern Europe, rude with monosyllables, and clogged with consonants, without any fixed or settled rule, and becoming therefore every day, as the mob of readers widens, more degenerate, trivial, and impure,—a magazine of capricious idioms, muttered rather than spoken, harsh, rugged, and inaccurate,—is, nevertheless, masculine, copious, and significant—a character which even the popular writers of the hour, and their half-educated readers, will find it difficult to wear away. It has been wielded

by great men, and they have fixed upon it the stamp of their immortal genius ; if it bears testimony to that want of generalising power, and that antipathy to abstract thought, which are the cleaving faults of the Anglo-Saxon nature, it proves likewise the daring energy, the sublime views, the masculine firmness, of the few, who, in spite of the vulgar, have made England great among the nations. So, too, our Church, with much that is merely formal, and not a little that is absolutely mischievous ; with its formal phrases<sup>1</sup>—employed where there ought to be some respite from the falsehoods and flatteries of daily life—its useless dignitaries, and teachers of humility in the House of Lords, with its ill-distributed revenues, its worldliness, love of power, and manifold inconsistencies ; its parody of the Church of Rome, where the Church of Rome is most hostile to the creed of Protestants,<sup>2</sup>—has added many a deathless page to English literature, and some names, venerable for learning, piety, and genius, to the list of those on whom every patriot loves to dwell. But any one who wishes to know only the worst and most ignoble features of the English character, the narrowness, the purblind adherence to forms of which the

<sup>1</sup> *e.g.*, the phrase “our most religious and gracious king,” which was used to Charles the Second and George the Fourth, and must be used if Nero or Helio-gabalus were on the throne.

<sup>2</sup> See the absolution in the office for the sick.

meaning is absolutely forgotten, the indifference to the welfare of others, the slovenly neglect of what is important, and the minute attention to what is meaningless, and, above all, the sordid respect for wealth, and abject deference to authority which are sometimes to be found among its baser elements, will find them unmixed, unredeemed, and stripped of all disguise—not trembling at themselves, but rampant and odious—in the biography of lawyers down to the time of which I am speaking, and in the history, so far as it has depended upon them, of the English law.<sup>1</sup> In vain do we seek for one single scientific treatise connected with any subject of general jurisprudence; for one single work indicating enlarged views, among the works of English lawyers; for any writings to be compared, I do not say, to the immortal works of Cujacius, Donellus, or Du Moulin—but for any above the level of the most mechanical and sordid pettifogger that ever drew from chicane the means of prolonging his mischievous existence. The treatise of Bracton, written in the reign of Henry the Third, the work of a canonist and a civilian, is superior to any that from that time to the accession of George the Third is to be found in the arid waste of English law. In vain do we look for a single attempt on the part of the judges to remedy

<sup>1</sup> See Lord Campbell's "Lives of the Chancellors," and Roger North's Works, *passim*.



evils, which every day must have forced upon their notice. In vain do we listen for a single word to denote any sympathy with the public weal, any sense of the frightful sufferings which make the soul sick in their perusal, and to which so much of the crime that they were every day called upon to punish must of course be attributed. On the contrary we find them vehemently and acrimoniously<sup>1</sup> resisting every attempt to correct even the most shocking of these abuses, as far as in them lay, and joining the practitioners in the lower part of the profession, to make the person who denounced them a mark for obloquy and persecution; and yet no lawyer of our day can deny that at the accession of George the Third the English law presented a most revolting spectacle.<sup>2</sup> No jurist can deny that its chicane was endless, its rules absurd, its punishments cruel and unavailing.<sup>3</sup> If it were not so, how comes it to pass that in the last ten years it has undergone such material, though far from sufficient, alterations? And if this be admitted, what is to be said of the moral character of those who for generation after

<sup>1</sup> In 1771 an address was presented by the Bar to the benchers of the Middle Temple, for the expulsion of Mr. Stephen, because he had written against imprisonment for debt. ("Ann. Reg.," 1771.) At this time there were 4,000 prisoners for debt every year in England.

<sup>2</sup> In 1773 Elizabeth Herring was burnt alive; all the details are given, "Ann. Reg.," p. 131.

<sup>3</sup> "He formed a very low, and, I am afraid, a very just estimate of the Common Law of England, which he was called upon to administer."—CAMPBELL'S *Life of Mansfield*.



generation saw these evils, not only without any attempt to alleviate them, but with a fixed resolution to support all that could increase their virulence—careless, so long as their own fortunes were secured, what became of their contemporaries or posterity.<sup>1</sup>

I will enumerate some of these blemishes, on which the reader least conversant with legal subjects may form an opinion. But no one who has not carefully studied the subject, and few who have not done so with professional accuracy, can form an idea of the evils it occasioned, of their baneful effects on the morals of the people, and especially as a just retribution on the character of those who followed it as a profession, and who obstinately, on all occasions, resisted, and treated as a crime, even the slightest attempt at its amelioration.<sup>2</sup>

It rested upon falsehood.<sup>3</sup> From the time when the judges transgressed their oaths, not from any philosophical view as to the progress of society, but to increase the power and income of the crown, in

<sup>1</sup> Lord Loughborough actually flung out the bill, which had passed the Commons, changing the punishment of burning women alive to hanging.

<sup>2</sup> English lawyers of high station (I do not speak of contemporaries) have always treated the advocates of improvement as personal enemies.

<sup>3</sup> See Shepherd's "England's Balme," A.D. 1657. He complains of the cruel oppression arising from the different writs—"original, capias, alias, pluries, exigent; and proclamation, and capias ut lagatum." Hale says, "miscarriages in causes upon small and trivial niceties in pleadings, have been too much witnessed." What would he have said if he had lived in William the Fourth's time?

Edward the Fourth's time, by a stupid and clumsy fiction (which referred a person to the sweeper of the court for compensation for the loss of an estate), it had been one continued lie. The Court of Exchequer owed part of its jurisdiction to one falsehood, the Court of Common Pleas to another, the Court of Queen's Bench to a third.<sup>1</sup> The action which in most cases determined the right to landed property, consisted of several falsehoods—a false plaintiff, a false defendant, a sham letter: any mistake in the technical statement of these falsehoods, any violation of the formal rules by which they were supported, sometimes deprived the suitor of his right altogether—always inflicted upon him great expense and inevitable delay. Acts of Parliament<sup>2</sup> (incredible as such a statement seems, in recording the law of a civilised country) had a retrospective effect in all cases. Men have been hung for crimes which, when

<sup>1</sup> The whole shocking absurdity is clearly detailed by Miller, "Present State of the Civil Law in England," p. 126.

<sup>2</sup> Bacon's Abridgement, vol. vii. p. 438. "Every statute begins to have effect from the first day of that Session of Parliament in which it is made." Roll. Abridgement, vol. i. p. 465. Just. vol. iv. pp. 2, 5, 27. Hobart, p. 309. Siderfin, p. 310. Brown's "Parliamentary Cases," vol. vi. p. 553. "Term Reports," vol. iv. p. 463, 660. Levinz, vol. i. p. 91. "This," says the commentator, "though often productive of the most provoking injustice, was sanctioned by so many decisions (judge-made law) that the interference of the legislature was necessary to control it. This was at last done, 33 George III., c. 13. The very title of the Act is a proof of the state of jurisprudence in this practical country. It is 'An Act to prevent Acts of Parliament from *taking effect from a time prior to the passing thereof.*'" We shall look in vain for such a proof of barbarity in the legislation of any other civilised people.

they were committed, were liable to a comparatively trifling punishment,—men have been deprived of their property by legal rules which, when the contract under which they were engaged was entered into, did not exist.<sup>1</sup> Trial by battle was then, as it indeed continued till 1820, incorporated with our jurisprudence. By the separation which still exists between the law in the Court of Chancery and the law in the Common Law Courts, what was law beyond dispute in one was equally beyond dispute contrary to law in another. In the construction of wills,<sup>2</sup> the same words, used to denote the intention of the testator, were construed in a totally different way if they related to real, and if they related to personal, property. If the object of the judges had been to frustrate the testator's intention, it could hardly have been more surely accomplished

<sup>1</sup> As a specimen of our practical wisdom in legislation, I will quote this instance:—In order to encourage the woollen trade, two statutes of Charles the Second required the dead to be buried in woollen, and imposed a penalty of £5 on the clergyman who should not certify to the churchwarden any instance in which the Act had not been complied with. The Acts fell into disuse, but of course kept their place in the statute book. All at once, an immense number of actions were brought against the London clergy by a common informer, for penalties under the Act; then it was repealed by 54 George III., c. 108, to which a retrospective operation was given. This instance combines most of the qualities for which our legislation is remarkable—slovenliness, utter indifference to the public good, delay, and the child of delay, precipitation.

<sup>2</sup> The interpretations of wills by our judges became so shocking, and the cause of so much misery, that of late years some of the worst have been abrogated by Acts of Parliament; and the father is no longer made to disinherit the child he loved by a forced construction. There are quite absurdities enough remaining to satisfy a moderate appetite.

See the letters of Mr. Sugden to a man of property, 1809.



than by the arbitrary rules they adopted. They succeeded in their first object, *i.e.*, in augmenting the profits of all who belonged to the profession of the law. The law of evidence was contrived to exclude the truth. Women who forged a shilling were burnt alive; accused persons, if they refused to plead, were pressed to death; prisoners for debt were murdered at the will of the gaoler. The forms of pleading in civil and criminal matters were so intricate as to render, unless in the very simplest case, a decision on the merits of the question hopeless.<sup>1</sup> Jurors who acquitted a prisoner were banqueted at his expense.<sup>2</sup> If they found in favour of the crown, in revenue cases, they were paid double the sum that they were paid if they found in favour of the defendant. The law of landed property was a mass of absurdities, so incoherent and so perplexed, as to surpass anything the invention of the satirist could imagine. The

<sup>1</sup> Where the title to land was at stake, special pleading was dispensed with altogether, simply because the abominations of the system must have been brought home to the country gentlemen. The lawyers, like the hunted beaver, gave up a part to preserve the whole. The great object of jurisprudence ought to be to make technical mistake impossible. The great object of our judges was to make it inevitable, "that," as Lord Hobart said, "the law (pettifogging) might be an art!"

<sup>2</sup> See in "Luttrell's Diary" the account of the dinner given to the jury that acquitted the seven bishops, and to the jury that, in spite of the clearest evidence, acquitted Sir W. Duncombe ("the scrivener and city knight" of Pope) of the cheat for which he had been expelled the House of Commons. And see "Ann. Reg.," 1752. "The jury acquitted Owen for publishing the case of Alexander Murray; they refused the usual present to special jurors after the trial."



evils of the Court of Chancery, which did not reach their meridian till the days of Lord Eldon, were still so terrible as to have become a proverb.<sup>1</sup> Excommunication—being what Lord Bacon called it, in his pregnant phrase, “a precursory judgment of the latter day;” that is, the most awful sentence that a believer in Christianity, as it existed in England, could undergo, and depriving the person suffering it, and any one whose case depended on his evidence, of all civil right—was inflicted for the recovery of a few shillings, due to any pettifogger in a Bishop’s Court who might choose to have recourse to such a method of oppression.<sup>2</sup> The scandal, unknown to any other Christian country, was complained of by Lord Bacon, and by Milton<sup>3</sup> in one of the most beautiful passages of his prose writings, blazing as they do with proofs

<sup>1</sup> For an account of this see Miller, “Present State of the Civil Law in England,” p. 184.

<sup>2</sup> A highwayman who robbed Lord Ferrars was acquitted because Lord Ferrars being excommunicated could not give evidence. If Lord Ferrars had been witness to a murder, the murderer must have escaped for the same reason.

“Ann. Reg.,” 1786, p. 26. “Lord George Gordon’s excommunication (for not giving evidence in the Ecclesiastical Court) took twenty minutes reading in the Church of St. Mary-le-bone;” and then good men were surprised at the irreligion of the lower classes, when such examples of profane folly were set by the Church, and falsehood was the essence of the law.

<sup>3</sup> “And yet this most mild, though withal dreadful, and inviolable prerogative of Christ’s diadem, excommunication, serves for nothing with them, but to prog and to pander for fees, or to display their pride and sharpen their revenge, debarring men the protection of the law.”—MILTON, *Reformation in England*, p. 65. The whole passage is in a strain of almost matchless eloquence. Dr. Cosins, Bishop of Durham, on the contrary, says it is a privilege of the Church of England above all the realms of Christendom that he has read of.—Cit. BURN’S *Ecclesiastical Law*. Tit. Ex. Ed. 1763.

of his sublime genius. But it was for the interest of legal practitioners that it should be prolonged, and therefore the blasphemous abuse complained of by Lord Bacon was not abolished till 1812. Registration, a benefit so loudly called for, was confined to two counties, and till this year the interest of the attorneys has been employed successfully to prevent the diffusion of the benefit to the rest of England. By an absurdity entirely characteristic of and peculiar to our country (the evil was abolished in France in the fourteenth century), bishops had the power of appointing judges in matters merely secular, to decide on the validity of wills of personal estate.<sup>1</sup> These offices were, in a vast number of instances, conferred on clergymen, their relations or favourites, utterly strangers to the rudiments of all jurisprudence, and causing by their ignorance sometimes the absolute ruin, constantly the cruel vexation and expense, of the humbler class, who might be brought by any rapacious or mercenary practitioner under their jurisdiction. This continued till a very recent period. The judges, by arrogating to themselves the right of deciding on the libellous character of a publication, had entirely destroyed the liberty, without at all correcting the licence, of the press. Men who chose to risk their ears, or an infamous punish-

<sup>1</sup> There were three hundred Courts of Peculiars, &c., all the judgeships to which were in the gift of private individuals.

ment, at the discretion of such a judge as Page, wrote virulent libels, and often with impunity. In short, we may reverse what a great writer says of virtue, and say that, if seen in their true light, the abuses and oppressions that were shrouded under the veil of English law, and that lurked in its various recesses, would, if they could have been exposed to view, have excited universal hatred and contempt. But they were hidden from public view by a mist of technical phraseology. Penetrating writers—Butler, Fielding, Swift,<sup>1</sup> Pope, Bolingbroke, Walpole, Chesterfield, Hervey, Hume, and Burke—exposed them with more or less severity; but the public, unable to comprehend, and unwilling to grapple with the evil, looked upon them with apathy. If they could have seen, or indeed if they could see, things as they really are, a regiment armed with bows and arrows on a day of battle would appear an absurdity less startling, a less daring disregard of experience, a rebellion less outrageous against reason, than English municipal law as it existed till within a very few years of the period when I am writing,<sup>2</sup> and as in some respects it still continues to be. Every invention for increasing his own gains and prolonging litigation that had occurred to the Roman priest, the Norman

<sup>1</sup> Swift's account of the case in "Gulliver's Travels," is the severest satire in our language.

<sup>2</sup> Even Southey, writing in 1825, says, "above all, we must get rid of the intolerable follies and chicanery of the law."—*Essays*.

lawyer, or the "bloodhound of the crown" under the Stuarts and the Tudors, had been embodied and embalmed in our jurisprudence, and was carefully preserved in it.<sup>1</sup> If the abuse was too flagrant to be borne—as for instance in the case of wager of law (which existed among us till 1830 as it existed in the barbarous codes), that is, the privilege of a person from whom a debt was claimed of getting rid of the claim, by bringing a certain number of persons to swear they believed the defendant did not owe it—the evil was not abolished, but another form of concurrent action, free from that objection, provided—still carefully leaving the old pitfall in the path of the suitor.

The picture of the social state of England would be incomplete without some notice of the poor laws. No institutions have ever tended more directly to social degradation—to prevent what they were intended to accomplish, and to accomplish what they were intended to prevent. For this evil lawyers are not peculiarly responsible. They aggravated indeed—of course they did not attempt to mitigate—but they did not create it; and therefore I consider it apart from those national calamities of which they were the sole and immediate authors. It might have been supposed that practical wisdom would display itself most eminently and emphatically on this very subject,

<sup>1</sup> See APPENDIX.



among the inhabitants of a great and free country. It will be for the reader, when he has read the following account, and compared it with the history of this nation from the time of the last French war to the period when the danger of beholding the darkest scenes of the middle ages, renewed in the England of the nineteenth century, at last compelled the legislature—after the welfare of partridges and pheasants had been sufficiently cared for—to give some attention to a subject affecting directly one-ninth of the population, and in its not very remote consequences, every man who had or hoped to have a shilling he could call his own—to judge whether the antithesis, so incessantly in the mouths of those whom the English delight to honour, between theory and practice is well founded;<sup>1</sup> and whether the absence of all general and controlling principles in English administration, from the management of a turnpike, to the laws affecting life and property, may not be the cause of great and undeniable calamities. The history of these laws has not yet been traced. The necessity for them arose out of the gradual disappearance of personal servitude from the English soil (where, from the earliest times, it appears to have been indigenous),<sup>2</sup> the increasing value of labour,

<sup>1</sup> “There is no country in Europe where so much money is collected for the poor, and none where it is so ill managed.”—BERKELEY, *Essay, &c.*, p. 68.

<sup>2</sup> Bristol in the British times was the great port whence slaves were exported for Ireland.

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the diminution in the value of the precious metals, occasioned by the discovery of the mines of America, and the selfishness of those among whom the spoils of the Church were distributed in the sixteenth century. These persons took the lands of the monasteries and abbeys, but disregarded the eleemosynary charges annexed to their enjoyment while belonging to their former owners, and the duties which those owners were compelled by public opinion, and a regard to their own security, as well as by habit and a feeling of duty, in some tolerable measure to fulfil.<sup>1</sup> In the Saxon law we find a direct acknowledgment of personal servitude, "Let every one," it says, "know his teams of men, horses, and oxen."<sup>2</sup> But it was the Norman conquest—establishing that most terrible of all forms of oppression, the dominion of one race over another inhabiting the same soil—that crushed for several

William of Malmesbury (i. 3, p. 17) says, in the days of King Alla, "Venales ex Northumbriâ pueri, famulari scilicet et pœne ingenti illi nationi consuetudine, adeo ut, nostra quoque sæcula viderunt non dubitârunt arctissimas necessitudines sub prætextu minimorum commodorum distrahere."

See 113, *Marculfi Formulæ*, A.D. 660. Form of reclaiming a serf among the Franks.

<sup>1</sup> I speak strictly of the plunderers of the day—the favourites of Henry the Eighth, the Richs, the Pagets, the Seymours, the Russells, who pulled down churches, "and with their ruins built the pandar's bowers." That property now stands exactly on the same footing as any other property. The crime was not in diminishing the scandalous and misapplied revenues of the Church, but (besides the cruelty of not providing for the losers of that revenue during their lives) in giving to individuals what belonged to the nation.

<sup>2</sup> "Quilibet homo noscat jugum suum hominum, equorum, et bovum."—WILKINS, *Leges. Sax.*, p. 47.

generations the labourer to the earth, and made the iron enter into his soul—illustrating the noble lines of Spenser:—<sup>1</sup>

“Woe, and woe, and everlasting woe  
Unto the English babe that shall be born  
To live in thralldom to his country’s foe.”

The Saxon conquest was extermination; that of the Norman was servitude. The old chroniclers vie with each other in describing the insolence of the conqueror, and the wretchedness of the vanquished.<sup>2</sup> “At this time,” says Roger of Wendover, “when the Norman had fulfilled the will of God on the English race, when there was scarcely to be found through the kingdom one eminent person of English blood, when all were plunged in servitude and affliction, and to be called an Englishman was a disgrace.” William of Malmesbury says, speaking of William Rufus, “He nevertheless let his fury loose upon the men; first seizing their money then their land; poverty was no protection to the poor, nor opulence to the rich.” So complete was the thralldom

<sup>1</sup> “Nobiles Puellæ despiciabulum ludibrio armigerorum patebant et ab imundis nebulonibus oppressæ, dedecus suum deplorabant.”—*Order. Vit., apud Script. Rev. Gall.*, p. 523. “Putabant quod quicquid vellent sibi liceret.”—*Domesday Book*, vol. ii. p. 1. “Quidam liber homo . . . qui modo effectus est unus de villanis.” What a terribly significant passage!

<sup>2</sup> They speak, allowance made for their homely language, like Tacitus, describing what he had witnessed, while every word has the burning energy of concentrated indignation, as men who were mad for the sight of their eyes that they saw. The old Saxon chronicler says, “Christ and his saints were asleep.”—*Anglo-Saxon Chronicle*, vol. ii. p. 231, Ed. 1857.



that the Norman master, suing for the recovery of his slave, was entitled to his writ to have his native, *de nativo habendo*,<sup>1</sup> which the lawyers, with their wonted felicity of expression, corrupted into the word *nief*. It is probable that in the time of John all the agricultural labourers, and most of the inferior tenants, were of this class.<sup>2</sup> The villein is protected by a humane clause of Magna Charta, extending to him, as to the freeman, the privilege of not being fined, except for a great offence, and according to the nature of the offence, and saving his wainage,<sup>3</sup> which is equivalent to the contenance of the freeman. But the 15th clause, limiting the right of the noble to exact aid from his vassal, and the famous 20th clause, are expressly limited to the free. It is plain from Fleta,<sup>4</sup> who wrote in the time

<sup>1</sup> *Villanage* of either parent made the issue bond. Fleta, vol. i. p. 3. Bracton, fol. 4. Different from the law in Marculfus.

<sup>2</sup> Roger de Hoveden uses the word "Rusticus," as opposed to the "liber homo." He says, Richard the First's delegates "fecerunt venire coram se dequâlibet villâ, dominum, ac cum quatuor legalibus hominibus villæ sive liberis, sive rusticis."—Last line, p. 778.

<sup>3</sup> *Wainagium*, that is, *gagnagium*. "Peculium agricolæ," says Du Cange, "quo nomine comprehenduntur omnia tam jumenta quam alia instrumenta quæ ad cultum agrorum et fructus colligendos sunt necessaria carucarum Wannagia."—*Hoveden*, p. 779. Fleta (p. 48) says this privilege of the villein was only available when he was fined by the king, "Cum per justic: Regios fuerint amerciati, secus si per dominos suos."

<sup>4</sup> Fleta, vol. i. p. 30; vol. i. p. 3. Glanville, vol. v. pp. 5, 6. Bracton, fol. 4.

*Proverb*.—"Jack would be a gentleman if he could speak French." Trevisa, the translator of Higden's Polychronicon, says, "This manner (speaking French) was much used before the great deth, but sythe it is somewhat changed." Franklyn is equivalent to Franc-tenant. *Lyn* is *like*, a Saxon termination joined to a French word; it means a native with rights equal to a Frenchman.



of Edward the First, that in his time the races were not completely blended. He mentions in his chapter on murder, an insulting distinction, which shows how deep the detestation of the races must have been. Murder could only be committed on a foreigner, *alienigena*; and it was always to be assumed that the person slain was a foreigner, unless the contrary was proved. This shows that the assassination of the Normans by their serfs was frequent. Glanville tells us that residence of a year and a day in a privileged town made the serf, if he became in that time a member of the corporate body, free. Froissart says that it was a custom in England, as it was in many other countries, for the nobles to keep their men in servitude.<sup>1</sup> But the glories of Edward the Third's reign, as they exalted the national reputation, added to the sense of personal dignity among the humblest of those whose limbs were bred in England; and the constant demand for soldiers to supply the royal armies, made the lord's possession of his bondsman more precarious. War and peace, menace and compromise, interest and generosity, all played their part in this noiseless and blessed revolution. The archer who had borne the "mighty bow"<sup>2</sup> at Crécy and Poitiers, or the relation who heard such a man tell how

<sup>1</sup> "Un usage est en Angleterre . . . que les nobles ont de grandes Franchises sur leurs hommes, et les tiennent en servage."

<sup>2</sup> "And in his hand he bare a mighty bow."—CHAUCER, *Prologue*.

the flower of the French nobility fled like sheep before him, was not likely to make a very submissive nief. So, too, the terrible pestilence—the “great deth” that laid Europe waste in the middle of the fourteenth century—added much to the value of labour.<sup>1</sup> Accordingly, we find in the Statute Book language from which the gradual transition from the old state of things to another may be traced; in 1362 an Act is passed declaring that pleadings shall be in English. This proves conclusively a prodigious change in the manners and opinions of the age. Again, in another Act, free labourers are distinguished from others: it is provided that any man under the age of sixty, without any visible means of support, may be compelled to work; that the old wages, and no more, shall be given to servants. Giving alms to beggars able to work is prohibited. All these enactments prove that labour was becoming more scarce, and that there was an uneasy feeling in the legislating classes.<sup>1</sup> Mendicity followed

<sup>1</sup> Chaucer's Plowman,

“That had y laid of dung full many a fother,”

is evidently free. He calls him the brother of the good parson, and gives him an amiable character:—

“God loved he beste with all his herte  
At alle times, *were it gain or smart*;  
And than his neighbour right as himselve,  
He wold thresh and thereto dike and delve,  
For Christe's sake, for every poor wight  
Withouten tire, if it lay in his might.”

N.B.—He paid no poor's rate.

<sup>2</sup> Statute of Labourers, 23 Edward III.; 25th, with the same object; Nicholl's “Poor Law,” vol. i. p. 48.

the disappearance of personal servitude. At the close of Edward the Third's reign, we find the Commons loud in their complaints that servants and labourers quitted their service for the slightest cause. But there is a very striking proof of the progress of emancipation, in a document of the twelfth year of Edward the Third, preserved to us by Rymer. The king mentions certain persons whom he has appointed to enfranchise his niefs, in return for a certain fine.<sup>1</sup>

Similar lamentations pervade the statutes of Richard the Second. The lords complain that the corn is uncut, and that they cannot obtain the services of their villeins.<sup>2</sup> The serf was endeavouring to win from the lord what the lord had extorted from the sovereign—a fixed right and an inviolable franchise. And it is clear that the main cause of the tremendous outbreak that convulsed England in the early part of Richard the Second's reign,<sup>3</sup> of which the Tory Hume has spoken like a philo-

<sup>1</sup> "Manumisimus præfatum Johannem Symondson et totam sequelam suam et ipsos ab omni opere servili exunimus et erga nos exoneravimus."—RYMER'S *Fædera*, vol. v. p. 44. 12 Edward III. "Volentes et concedentes pro nobis et Hæred nostris quod idem Joh. S. et tota Sequela sua in perpetuum liberi sunt et liberæ conditionis."

<sup>2</sup> See Walsingham's account of the insurrection of the villeins belonging to the Abbey of St. Alban's, p. 259. "Cernentes villani jam tempus suæ petitioni arridere mox petitiones specificant postulantes novos chartas illis fieri libertatum."

<sup>1</sup> Richard II.

<sup>3</sup> Is there anything shocking in these rude verses:—

"With right and with might,  
With skill and with will,

[Let

sopher and the Whig Burke like a narrow-minded partisan, was the attempt to seize in Essex on persons who asserted they were free, but who were claimed as slaves—whether rightfully or not, the lesson of history is the same. The king disarmed

Let might help right,  
And skill go before will,  
And *right before might*,  
So goes our mill aright."

That was not the Gothic notion.

"Help truth, and truth shall help you," said John Ball, the priest, who was released from the prison of the Archbishop of Canterbury, into which he had been thrown for heresy. "He was," says Knyghton, "a violent priest, the forerunner of Wickliffe, as John the Baptist was of Jesus Christ."—Col. 2644.

Col 2635. The king, says Knyghton, "*Concessit eis cartam sub magno sigillo liberæ quod omnes homines in regno Angliæ liberi essent et liberæ conditionis et ab omni jugo servitutis et villenagii exuti pro se et hæredibus suis in perpetuum manerent, quæ quidem carta eodem anno post festum sancti Michaelis in parlamento apud West monasterium per regem et magnates regni quassata fuit et annullata et irrita et inanis judicata.*" Knyghton gives a remarkable proof of the honesty of purpose of these poor men. One of their companions having stolen a beautiful silver pix, they flung him and it into the fire, exclaiming, "*Zelatores veritatis et justitiæ non fures aut latrones.*" They demanded what the Roman law gave, but what the feudal law, down to the present hour denies:—" *Ut omnes Warrennæ tam in aquis quam in pasco et boscis communes fierent omnibus ita ut libere possit tam pauper quam dives ubicumque in regno, in aquis et staguis piscariis et boscis et forestis feras capere, in campis lepores fugare.*"—Col. 2637.

This is the account given by Walsingham, p. 247:—" *Rustici quos bondos vel nativos vocamus simul cum ruralibus accolis in Essexiâ . . . pro libertate tumultuare cæpere . . . et nulli omnino abi cujus de cætero astringi servicio meditati sunt.*" They send to Kent, "*Pro libertate acquirendâ. Cantiani itaque remandientes votis per ante desideratam fere totam provinciam concitaverunt.*" They resolved to burn all the rolls of the courts—" *Ut obsoletâ antiquorum memoriâ nullum jus omnino ipsorum domini in eos in posterum vindicare valerent.*" He gives also a remarkable instance of their disinterestedness—" *Quod nihil rapuerunt omnino, sed omnia emerunt justo precio.*" They were far more scrupulous than the nobles—" *Et siquemquam reperissent in furto capite privaverunt*" (p. 254). He gives the king's charter—" *Ipsos ab omni bondagio exuimus,*" &c. Similar proceedings in Suffolk: John of Canterbury's head cut off, "*Quia fideliter decertavit contra villanos de Bury pro jure monasterii.*"



the rioters by his promises, entrapped their leader to a conference, where he was put to death, and, when they were helpless and dispersed, violated the charter he had given, restored them to their servitude, and bathed England in their blood.<sup>1</sup> It is in this reign we find the first traces of that law the most oppressive to which any free nation was ever forced to submit—the law of settlement,<sup>2</sup> in an Act forbidding any servant or labourer to depart from one part of the kingdom to another. In the same reign, and in the reign of Henry the Fourth,<sup>3</sup> provision is made for the poor out of the fruits and profits of the Church; and there is a case in the Year Books in the seventh year of Henry the Sixth, as to the right to a nief, who defended himself on the ground that he had resided a year and a day in the City of London. At this time, however, it is probable that personal servitude had almost entirely disappeared. The wars of York and Lancaster<sup>4</sup>

Fitzherbert's "*Natura Brevium*," vol. i. p. 76. "Writ of nief lies for the lord who claims inheritance in any villein when his villein is run from him." —PLOWDEN, p. 124, *a*.

"En le comté de Kent ils ont contume que chacun nè dans le comté nient contre étant que son père fût nief l'issue sera frank."—In the Year Book of Henry the Sixth, year 7, de S. PASCHÆ, p. 32, sec. 27. "Brief de nativo Habendo."

<sup>1</sup> Walsingham (p. 276) gives a curious account of the way in which the judge entrapped the jury ("quamquam falsi esse maluissent") into a conviction of the villeins.

<sup>2</sup> 12 Richard II., c. 3. "Liber est," says Bracton, "qui potest ire quo vult."

<sup>3</sup> 15 Richard II., c. 6. 4 Henry IV., c. 11.

<sup>4</sup> Godwin ("*De Præsulibus Angliæ*," p. 116) says, in Edward the Third's time land was worth twenty-five years' purchase; in Edward the Fourth's it had fallen

must have accelerated this result<sup>1</sup>—the serf had become a citizen. Accordingly the language of the Statute Book increases in ferocity. From the reign of Henry the Seventh to that of Henry the Eighth, compulsory service and compulsory maintenance exhibit themselves with little disguise. Henry the Eighth endeavoured, by the severity of the law, to prevent the inevitable consequence of the sudden and violent confiscation which had been swallowed up by his rapacity, and the rapacity of those whom he had bribed to sanction his iniquities with the least possible advantage to the community.

That Providence brings good out of evil, that the worst actions of the worst men may contribute to the welfare of some portion of society, is certain; but we are not therefore to praise cruelty and justify oppression, or to do what in us lies (no matter how humble our capacity) to remove the boundaries of right and wrong. One Act provides that impotent persons, begging without a license, shall be taken up and whipped, or set in the stocks at the discretion of the justices. Another, with a brutality

to ten. £1,000 in money, or £100 a year in land, are offered to any one who would arrest the Duke of Clarence.—RYMER'S *Fædera*, vol. xi. p. 654.

<sup>1</sup> The 9th Henry V., c. 5, bears testimony to depopulation. Philip de Comines tells us that "Edward the Fourth told him he had fought on foot in nine pitched battles, and that as soon as the enemy began to fly, he mounted his horse and cried to them to spare the common people and kill the nobles."

In 1514 Henry the Eighth manumitted two villeins.

In 1536 the Lords flung out a bill for relieving bondmen, showing that some still existed.—SIR THOMAS SMITH, *De Rep. Ang.*, vol. iii. p. 8.

peculiar to our law, provides that every vagabond, whole and mighty in body, shall be tied to the cart's tail and whipped till his body be bloody by reason of such whipping. Such was the parental regard of the legislature for the poor, whom it had suddenly deprived of the resource to which they had been accustomed to turn for support for seven hundred years. The preamble of an Act passed in the 27th of Henry the Eighth, candidly remarks that, though the punishment of the poor is provided for, there is no provision made for their maintenance, nor yet for setting them to work ; and then proceeds to declare that the mayor of every city shall succour, keep, and find every of the said poor people by way of voluntary and charitable alms.

Such statutes, of course, were worse than useless. Irritated by their failure, the legislature, in the reign of Edward the Sixth, passed an Act to find any parallel for which, the annals of any country calling itself free may be searched in vain. After lamenting that the "godly Acts" which had hitherto been framed on the subject had not produced the effect which was to be wished, and ascribing the failure "to the *foolish pity* and mercy of those who should have seen those godly laws executed," and suggesting that if the vagabonds, who were unprofitable members of the commonwealth, were punished by death, whipping, or

corporal servitude, it were not worse than their deserts; it proceeds to enact, that "if any man or woman able to work should refuse to labour, and remain idle for three days, he or she should be branded on the breast with the letter V, and adjudged the slaves, for two years, of any one who should inform against such idlers." They were to be fed on bread and water, and such refuse meat as the master should think proper. He was to cause his slave to work, by beating, chaining, or otherwise, in such work and labour, how vile soever it be, as he should put him unto. If he or she ran away, the slave became the slave of his master for life, after being branded on the cheek with the letter S. If he ran away a second time he was "to suffer pains of death as felons ought to do." Another clause enabled the master to dispose of his slave as his chattel. Another directed the justices of the peace, if no informer appeared, to inquire after such loiterers, and if they had been vagrant for the space of three days, to put in force the provisions stated above. Another empowered the master to put a ring of iron about the neck, arm, or leg of his slave, for more knowledge and surety of the keeping him. The statute also contains a provision saving the rights of those who were entitled to "niefs of blood," showing that Englishmen might still be born slaves.



It is only just to say that this detestable law, worthy of a den of banditti, was speedily repealed, and that though other savage and impolitic laws were passed on the same subject, no attempt was made to revive the clauses I have cited ; but it is a melancholy proof of the deliberate cruelty to which mistaken interest and barbarous ignorance could, in the age of Sir Thomas More, Hooker, Cartwright, and Erasmus, transport an English legislature.

Continued complaints and increasing evils at last, after much abortive empiricism, produced the 43rd of Elizabeth, which became the basis of all future legislation on the subject. By this Act the right of the poor to public relief was formally established. It was directed that four overseers should be chosen in each parish, for setting children to work, and raising a stock of money for the purpose : justices were empowered to levy the rate by distress. Various laws were passed in the reign of James with regard to mendicants and vagrants. One, which continued in force till the reign of Anne, provides that "persons adjudged" (that is by the squires) "incorrigible and dangerous, should be branded on the left shoulder with a hot iron, of the breadth of a shilling, having a Roman R upon it, and placed to labour ; and if after such judgment they were found begging and wandering, they were to be adjudged felons, and to suffer death without

benefit of clergy.” The next important statute, and that which perhaps has operated most banefully, and with the greatest harshness on the lower classes, is the law of settlement, passed in the year 1662. No law has been the cause of greater and more perfectly wanton litigation.

If half the sums lavished in disputing settlements, between the years 1815 and 1835, had been funded, England might have been for ever exonerated from the poor-rate.<sup>1</sup> The egotism and want of foresight for which our legislation is so unhappily conspicuous, were never written in more legible characters. The law itself, besides its gross and disgusting inhumanity, was a direct interference with natural right. It prevented the labourer from carrying his only property to the best market. It inflicted as great an injury on every man born in a certain class, as a lasting taint of our air, our water, or our earth would have been. Yet on this point, history—which describes so emphatically the far less serious calamities inflicted, not by statesmen, but by a maddened people, on a much smaller class, during a much shorter period, and which, horrible and wholly unjustifiable as they were, at any rate were the price of a great social regeneration in France—is altogether silent.<sup>2</sup> The tears of the historian and the

<sup>1</sup> In 1751 the poor-rate was calculated at three millions yearly.

<sup>2</sup> “*Carent quia vate sacro.*”

orator are kept for the great, the learned, and the beautiful—for the murdered queen and the exiled noble; but when whole kingdoms are brought under one system of universal misery, by the folly of a king, the wickedness of a favourite, or the vanity of a harlot—by George the Third, or Bruhl, or Buckingham, or Pompadour, or Catharine of Russia; when the terrible curse<sup>1</sup> denounced against the Israelites, “In the morning thou shalt say, Would God it were evening, and in the evening, Would God it were morning,” is inflicted on the innocent labourer, and myriads of peasants are scourged to the bone by an unrelenting despotism, for century after century,—modern eloquence is mute, and modern sympathy at an end.

“There is,” says Adam Smith, in his great work, written at least a century after the law, “scarcely a poor man in England of the age of forty who has not been cruelly oppressed by the law of settlement.” Such is the language not of an unscrupulous demagogue, not of an excited enthusiast, but of a grave philosopher, composing, in the calm and silence of his closet, a work that deserves to be ranked among the most valuable productions of

<sup>1</sup> “Atqui non Massica Bacchi  
Munera, non illis epulæ nocuere repostæ.”

What are the crimes of Robespierre, execrable as he is, compared with those of Metternich or the Emperor Nicholas? Compared with Burke's correspondent, Catharine of Russia, he was a Man of Ross.

modern science.<sup>1</sup> The principle of that law is still in operation among us. Independently of the intrinsic wickedness of such a law, the cruelty with which it was carried into effect (as was sure to be the case if those to whom its operation was entrusted are considered) added to its horrors. Sir Josiah Child tells us "that poor persons are often removed or passed to the place of their settlement during their sickness, to the great danger of their lives." The same writer, in his discourse on trade, dwells on the miserable condition of the poor, and the consequences of shifting, sending, and *whipping back* the poor labourers to the place of their birth. The legislation of Edward the Sixth's time could hardly have complained of any "foolish pity" in those who now administered the poor law. Hay says that "the poor were lodged in houses that would not shelter them from the weather, clothed with rags that would

<sup>1</sup> To this opinion I will add that of Burke, recorded in the valuable correspondence lately published :—

"RESOLUTIONS CONCERNING THE POOR LAWS."

After stating the law, they proceed :—"That such arbitrary power of removal and restraint is a subversion of natural justice, a violation of the inherent rights of mankind, and not justified by the true policy of a commercial nation, but totally repugnant thereto."

"*Resolved*—That a committee be appointed to examine into the powers given by the laws for settling and maintaining the poor, and particularly the statute 13 & 14 Charles II., to justices of the peace, and parish officers, and to report their opinion of the most effectual means of restoring the labouring part of this kingdom to that liberty which all free and industrious subjects ought to enjoy, of exercising their industry wherever they shall find it most to their advantage."



not cover their nakedness, without fuel to keep them warm, or food to sustain nature." Burn, a man thoroughly master of his subject, and of an understanding that qualified him peculiarly for dealing with it, says, "that the overseers often contracted with persons of a savage disposition for the maintenance of the poor, to hold out a workhouse as a terrible alternative to those who would not acquiesce in the scanty pittance allowed them by the overseers." He goes on to say that every cruelty short of scalping was practised on the English poor. Whipping continued to be a favourite remedy for poverty.<sup>1</sup> By an Act passed, not in the reign of Hengist or Canute, but of George the Second,<sup>2</sup> "a woman delivered of a child in a parish to which she does not belong, was liable to public whipping and six months imprisonment." This while the court was swarming with concubines, one of whom was actually brought over from Hanover by George the Second, and placed under the same roof with his wife.<sup>3</sup> In George the Third's time, an Act provides, "that no justice of the peace shall order any vagrant to be conveyed by a pass who has not been whipped or imprisoned for at least seven days." Certificates of the whipping, produced as a title to relief, are still among the records of our parishes. Is there any-

<sup>1</sup> "In such time and manner as to the Justices shall seem meet."

<sup>2</sup> 17 George II., c. 5, secs. 3, 4, 9, 25.

<sup>3</sup> 32 George III., c. 45.

thing in Canciani<sup>1</sup> more revolting to the instincts of freemen, or more surely proving the degradation of the people? The great orator of antiquity dared not directly mention corporal punishment to an Athenian audience. He hints at the possibility of it as a consequence of servitude. Can stronger proof be given of the coarseness which it is so difficult to eradicate from the Anglo-Saxon nature, even in the highest ranks, and of the light in which the lowest class of the community was considered? Is it not evident that while the upper and middle classes were fenced round with every security that the most jealous caution could provide—that while they were enjoying the full benefit of the mighty works that had been wrought in England during the seventeenth century—of the dungeon of Elliot, and of the block of Sydney, and of the gibbet of College, and of the stake of Mrs. Gaunt—the labouring poor were still looked upon almost as the Norman considered the native serf: as machines to till the soil, to labour in the mine, to dig the canal, to man our fleets, to recruit our armies, and to obey a law which, conniving at all that was flagitious in their superiors, reserved for them, even when innocent, the scourge and the gaol; made hospitality to them a crime,<sup>2</sup> and

<sup>1</sup> *Leges Barbarorum.*

<sup>2</sup> “Any person giving a lodging to such persons (among others, those who pretended to any skill in physiognomy!) to be fined.”—17 George II., c. 5.

awarded them, as a compensation for a life of incessant toil, the workhouse, into which they were farmed out, until they should relieve those whom they had toiled for in their youth on wages that made a provision for old age impossible, by descending into the wished-for grave ?<sup>1</sup>

I have dwelt at length on these laws which had their origin, not in benevolence, but necessity, because without some knowledge of them, and of the effect which they produced, it is impossible for any one to form a correct idea of the social state, or indeed of the public mind, in England in the middle of the eighteenth century. Their evil consequences were afterwards aggravated by other laws, not so inhuman indeed, but equally unreasonable. All motive for industry was taken from the labourer. The wages of labour were in fact paid out of the poor-rate. In 1834 seven millions and a half were levied for paupers. In one parish all the unemployed men were put up to sale weekly; ten men were knocked down to a farmer for ten shillings. In another all the labour was paid for out of the rate. In another the clergyman was required to pay double the value of a large living in the shape of parochial relief. It seems surprising that the soil should have remained in cultivation. The reader

<sup>1</sup> In 1795, Mr. Fox said the greater part of the lower classes were lying at the mercy, or living on the charity, of the rich.

who will refer to the reports and evidence laid before the Houses of Lords and Commons in 1838, may form some notion of the practical genius of the English where great problems are to be solved, and foresight, a disregard of vulgar prejudice, and an absence of interested views are requisite. These laws, perhaps more than any other, attest the inherent incapacity of our race for legislation. They ought to diminish the ignorant, presumptuous arrogance with which Englishmen are apt to speak of theorists and principles, of foreign customs, and foreign jurisprudence. They compose a system of mingled selfishness, cruelty, and blundering not to be matched elsewhere; and if it had been intended by their authors to harden the hearts of the rich, and brutalise the manners of the poor,—to sour their blood by oppression, and to quench in them every aspiration that distinguishes a freeman from a slave,—means more effectual could hardly have been devised for such a purpose.

Among other causes of demoralisation<sup>1</sup> active at

<sup>1</sup> “The negroes,” says Mr. Burke, “in our colonies, endure a slavery more complete, and attended with far worse circumstances, than what any people in their condition suffer in any other part of the world, or have suffered in any other period of time. Proofs of this are not wanting. The prodigious waste which we experience in this unhappy part of our species, is a full and melancholy evidence of this truth.” “From all that can be learnt,” says Paley, a writer by no means inclined to take an elevated view of social obligations, or abstract right, “the inordinate authority which the plantation laws confer upon the slaveholder, is exercised, by the English slaveholder especially, with rigour and brutality.”



this period must be reckoned one peculiar to ourselves—the multiplication of oaths on the most trivial occasions, and the profanation of the most solemn rite of our religion; and another which we shared with other nations, though as a commercial people we engrossed the largest portion of it, I mean the slave trade. In vain shall we look through the history of heathen states for any system of such intense and perfect wickedness, so utterly at variance with the plainest precepts of the religion which those upholding it professed to revere, carried on with restless energy, consigning year after year thousands of innocent human beings to frightful sufferings, and maintained long after its horrors had been exposed, simply because it was profitable. The neighbourhood of the fiercest beasts of prey was not so dangerous to the miserable inhabitants of Africa, as the intercourse with European Christians. That it was abolished we owe not to George the Third, who tenaciously upheld it; not to those who courted his favour by imitating his example, such as Thurlow, Scott, Jenkinson, and Dundas; not even to the eloquence of Mr. Pitt, to the efforts of Wilberforce, or the pure and single-minded zeal of Clarkson; but to the accident which placed for a few months Grenville, Fox, and Grey at the head of administration, and enabled them to force upon a hostile sovereign a

measure which he had employed all his influence to counteract.<sup>1</sup>

In William the Third's time we find Parliament declaring that the slave trade is highly beneficial to England and her colonies.<sup>2</sup> In 1712 the Queen relied on the Asiento contract as a palliation of the traitorous peace of Utrecht.<sup>3</sup> The same sentiment is repeated in the reign of George the Second. Far from holding the doctrine at last laid down, after many vain endeavours to get rid of the question, by Lord Mansfield in Somerset's case (when Dunning,<sup>4</sup> to his disgrace, argued against freedom), Holt, Pollexfen, and eight other judges, with the engrained narrowness of their caste, declare that negroes are merchandise. If it were possible to smile at human inconsistencies, where they are the cause of such unspeakable misery, the question to which the religion of the slaveholder

<sup>1</sup> "We, the British Senate, the temple of liberty and bulwark of Protestant Christianity, have this fortnight been pondering methods to make more effectual that horrid traffic of selling negroes. It has appeared 46,000 of these wretches are sold every year to our plantations."—WALPOLE's *Letters*, vol. ii. p. 19. 1750.

<sup>2</sup> 10 William III., c. 20.

<sup>3</sup> It is more remarkable that such a passage as this should occur in Burke's works:—"A good ministry would have considered how a renewal of the Asiento [*i.e.* contract for supplying slaves] might have been obtained. We had as much right to ask it at the Treaty of Paris as at the Treaty of Utrecht. We had incomparably more in our hands to purchase it. Floods of treasure would have poured into this kingdom from such a source."—BURKE, *Observations*, &c. *Works*, vol. ii. p. 46. A.D. 1769.

<sup>4</sup> Having before said that he would maintain in any place and any court of the kingdom, that our laws admit of no such property—can any technical rule, or the cant of any profession, palliate so gross a violation of morality?

gave rise would be most amusing. They—men tenacious to an extreme, not only of Christianity, but of the peculiar form of Christianity to which they belonged—were anxious to secure the eternal salvation of the negro whom they kidnapped, and to atone, by procuring him happiness in another world, for the misery they inflicted upon him in this. Accordingly, the practice of baptising the wretched slaves was common; but a notion suddenly obtained that baptism was inconsistent with slavery, and excited the utmost consternation from New England to Carolina—all baptising came to an end. It was not till the opinion of the Attorney and Solicitor Generals Talbot and Yorke<sup>1</sup> had been procured to the contrary (an opinion directly overruled by Lord Mansfield, in Somerset's case), and Gibson, the Bishop of London, had solemnly declared that Christianity did not affect the property of the slaveholder in his human instrument, and their temporal interest was quite secured, that the terror thus excited was appeased, and the Christian men allowed their slaves to be saved (from what most of them held to be inevitable) the necessity of suffering the extremest degree of torment for everlasting—so

<sup>1</sup>A.D. 1729. "We are of opinion that a slave, by coming from the West Indies into Great Britain, does not become free, and that baptism does not bestow freedom upon him. The master may legally compel him to return to the plantations."—Cit. CLARKSON'S *History of the Slave Trade*, p. 65. Slaves were advertised for as runaways, in the London papers, at this time.

true is the profound remark of one of the greatest of modern writers,<sup>1</sup> that our zeal works marvels when it chimes in with our hatred, our ambition, or our avarice—he might have added our vanity—but, unless in persons rarely constituted, is impotent when it urges us to works of benevolence and self-denial. In a tract written in 1745,<sup>2</sup> the African slave trade is called “the great pillar and support of the British plantation trade in North America.” “My friends and I,” said Oglethorpe, a man of godlike benevolence, who, like Sir George Savile, would have adorned the purest age, and who appears like a prodigy in the most corrupt,<sup>3</sup> “were determined not to suffer slavery in Georgia, but the slave merchants and their adherents not only occasioned us much trouble, but at last got Government to sanction them.” In 1760 South Carolina attempted to restrain the slave trade in vain. In 1776 the colonial minister, the most accomplished gentleman of his day, said to a colonial agent, “We cannot

<sup>1</sup> Montaigne, vol. i. p. 12.

<sup>2</sup> Tract by a British merchant. The argument is in the truly selfish spirit of the day:—“Were it possible for white men to answer the end of negroes, our colonies would interfere with the manufacture of these kingdoms; in such case we might have just reason to dread the prosperity of our colonies; but while we can abundantly supply them with negroes we need be under no such apprehension.”

<sup>3</sup> “If Oglethorpe was the first man in the colony, his pre-eminence was founded on old Homer’s maxim. He was the most fatigued and the first in danger; distinguished by his cares and his labours, not by any exterior marks of grandeur—the more easily dispensed with, as they were certainly needless.”—HARRIS’S *Voyages*, vol. ii. p. 332.



allow the colonies to check, or in any way to discourage, a traffic so beneficial to the nation." It was reserved for Europe, after the destruction of the Roman empire, to furnish more complete proofs than history had yet exhibited, that the human mind is capable of reconciling the most submissive belief in a religious creed, and the most scrupulous observance of the external ceremonies it enjoins, with an utter disregard and systematic violation of its precepts. Such was the spirit (so carefully inflamed by the clergy) which atoned for laying provinces waste by founding a monastery in the dark ages; and which, in the time of George the Second, induced some one to leave a plantation stocked with slaves to the Society for the Propagation of the Gospel.<sup>1</sup> The first remarkable expostulation in favour of the negro, came, not from an English divine, but a French philosopher. Montesquieu, in

<sup>1</sup> The magnificent cathedrals of Normandy, so often appealed to as monuments of piety, were raised precisely at the time when the most fiendish cruelties were inflicted on the English, and by their most savage persecutors, especially Odo of Bayeux. To teach men that they could atone for a life of cruelty by such acts, was not the way to improve the condition of society. Yet this was a favourite doctrine of the clergy of the dark ages. The result was that, from Constantine downwards, every murderer and oppressor imagined that he could elude Divine justice on his death-bed by parting with riches, for which he no longer had any use—that they could *buy* the favour of their Maker. The priests of Apollo and Minerva taught no such abomination. We have built a cathedral at Calcutta, but have not taken off the tax on salt, which annually destroys thousands, and inflicts disease in its most loathsome form on many more—such is our morality.

“ Vain human kind, fantastic race,  
Thy various follies who can trace.”

his noble work—which it has been reserved (and it is a characteristic of the period) for a popular writer of our day to speak of lightly, but which, for depth of thought, brilliancy of expression, and solid learning, is the text-book, as it must always remain, of the philosophic historian, as well as of every enlightened jurist—has exhausted all the power that sarcasm could lend to eloquence, in bringing home the enormous wickedness of the system to the mind of his contemporaries.<sup>1</sup> I anticipate a few years that I may do justice on this subject to two eminent members of the English Church—on both of whom I shall have occasion to make less favourable comments—Warburton and Paley. Both these distinguished and powerful writers took occasion to denounce the slave trade: Paley in an admirable passage of his moral philosophy,<sup>2</sup> Warburton in a sermon preached in the year 1766, stamped with many proofs of his masculine and daring intellect. The sentences in which he tears to shreds the wretched sophistry by which people anxious to be

<sup>1</sup> “*Esprit des Lois*,” xv. 5. I will quote the two concluding paragraphs:—“ Il est impossible que nous supposions que ces gens la soient des hommes, parceque si nous les supposons des hommes, on commencerait à croire que nous ne sommes pas nous mêmes Chrétiens.

“ De petits esprits exagèrent trop l’injustice qu’on fait aux Africains, car si elle était telle qu’ils le disent, ne serait il pas venu dans la tête des princes d’Europe qui font entre eux tant de conventions inutiles, d’en faire une générale en faveur de la miséricorde.”

<sup>2</sup> The passage beginning, “But defect of right in the first purchase is the least crime with which this traffic is chargeable.”

deceived allowed themselves to be imposed upon, shall be cited here. We shall look in vain for any sentiment half so generous from those who presided in our courts of justice. Lord Mansfield's judgment in Somerset's case is timid, and was evidently delivered with much reluctance. Thurlow—either from an instinctive delight in all that was brutal (which did not prevent him from being a gross hypocrite), or from a desire to please George the Third—supported the slave trade and the horrors of the middle passage with all the uncompromising ferocity of a Liverpool merchant or of a Guinea captain. To the language of these timid and hardened lawyers, the generous ebullition of the priest stands out in bold relief.<sup>1</sup> “It has been pretended,” he says, “in excuse of this violation of all things civil and sacred, that though these miserable outcasts be torn from their homes and native wilds by force and fraud, yet this violation of the rights of humanity improves their condition, and renders them less unhappy. But who are you who pretend to judge of another man's happiness?—that state which each man under the instinctive guidance of his Creator forms for himself, and not one man for another. To know what constitutes mine or your happiness is the sole prerogative of Him who made us, and cast our minds into different moulds. Did these unhappy slaves ever complain to

<sup>1</sup> Warburton's Works, vol. x. p. 54. Sermon 20.

you of their unhappiness amid their native woods and deserts? or rather, let me ask, did they ever cease complaining of their condition under you, their lordly masters?—where they see, indeed, the accommodations of civil life, but, the more to embitter their miseries, see them all pass by to others, unbenefited by them. Be so gracious, then, ye petty tyrants over human freedom, to let your slaves judge for themselves what it is which makes their own happiness, and see whether they do not rather place it in their return to their own country, than in the contemplation of your grandeur, of which their distresses make so large a part.” That the effects of this infernal traffic were most pernicious to the persons immediately engaged in it, is proved by Clarkson, who recites murder after murder committed with perfect impunity by the captains of slave dealers on their crew, as well as by the narratives which from time to time found their way into the “Annual Register,” in which is to be found one account of seventy living slaves, some of whom were supposed to be labouring under a contagious disease, being flung into the sea, that the loss might fall on the insurers, instead of falling on the owners of the cargo. It may safely be said that the cruelties, dreadful as they were, of Robespierre, and even of Marat, are as nothing compared with the slave trade as it was practised by the most civilised nations of Europe—that in the transportation of tens of thou-



sands of innocent persons annually from their native land, without the pretext of any provocation, there was contracted a greater portion of misery and guilt into a smaller space, than had ever existed in the heathen world. The worst crimes recorded by Thucydides or by Tacitus—who mentions the execution of all the slaves of a murdered master (according to the stern old Roman law, and in obedience to a supposed state necessity), as having provoked the indignation of the Roman populace, and a resistance which was only put down by military power—are light and trifling in comparison. There is nothing to be compared with it in the history of human wickedness. It was abolished at once by the French revolutionist, yet in Mr. Burke's later works, abounding with invectives against all who were, however remotely and for the most beneficial purposes, concerned in the French Revolution, and calling for confederated Europe to employ fire and sword for their extermination, there is not to be found one syllable condemning the African slave trade: such power has custom, and it must be added, prejudice.<sup>1</sup>

Neither in the enumeration of the evils which

<sup>1</sup> Shakespeare would have taught Mr. Burke, even from the lips of exiled royalty, that society presented worse evils than those he exhausted his powers in bewailing:—

“Thou seest we are not all alone unhappy;  
This wide and universal theatre  
Presents more woeful pageants than the scene  
Which we play in.”

afflicted England at this period, should the condition of private madhouses, which were turned, like the letter of the law, into an instrument of savage oppression, be forgotten.<sup>1</sup> The facts detailed in the report of the committee, form, in England, no contrast to those which we discover wherever *disinterested* exertion was requisite to counteract a growing evil. Witnesses of irreproachable character declare that in many instances persons had been confined for no other reason but the avarice or violence of husbands and relations. Some had been driven mad, some had perished—all were unavenged. These were the consequences of carrying too far a maxim<sup>2</sup> in itself valuable, and allowing the elements of society to stagnate into pestilence for want of timely care and due consideration. Lord Bacon has told us that “a froward retention of custom” is to be dreaded, as the cause of danger to communities; and that time, which no human power can arrest, is of all innovators the greatest. Before the eighteenth century had closed, his words received a tremendous illustration. And if there ever was a nation where constant attention to all public institutions is requisite, and incessant vigilance over those entrusted with their management—where everything requires perpetually to be

<sup>1</sup> “Parl. Hist.,” vol. xv. p. 1290. See particularly, “Ann. Reg.,” 1778, p. 75.

<sup>2</sup> *Quieta non movere.*

recalled, in Machiavelli's words, to its first principles, and its original standard—it is among a people as entirely absorbed by the interests of the moment, as little capable of being acted upon by remote influences, and so indifferent to abstract truth and general principle, as the English.

The evils which I have pointed out, however dangerous to the moral qualities of the nation, did not arrest the course of our material prosperity. When the breath of liberty once animates the political body, it kindles a flame which hardly any amount of folly is able to extinguish. The long intervals of peace which the nation had enjoyed since the peace of Utrecht, had developed to an extraordinary degree the resources and opulence<sup>1</sup> of the country—between the years 1726 and 1760, the amount of the official value of our exports had almost doubled. The population, estimated at five millions and three-quarters in Queen Anne's time, at the close of George the Second's reign is reckoned by a very competent and accurate judge at seven millions.<sup>2</sup> The charge for the relief of the poor had increased during the same period from £950,000 to one million and a quarter. With the increase of employment, which the augmented exports prove, the rise in the rate of wages, and the fall in the price

<sup>1</sup> Nicholls' "Poor Laws." The average of 1726, 1727, 1728, was £7,891,739. In 1760, it was £14,693,270.

<sup>2</sup> *Ibid.*, vol. ii. p. 59.

of corn, the physical condition of the labourer had materially improved.<sup>1</sup> The consumption of tea had greatly increased: from 141,995 lbs., imported in 1711, it had reached the amount, in 1760, of 2,515,875 lbs. The cultivation of the potato had also become general—an addition to the means of human subsistence not without its dangers and evils, as a failure in the crop leaves the population depending exclusively upon it, without any means of support, there being no lower diet to which it can have recourse. Our great staple was still the woollen manufacture. Cotton was little used: spinning machines not yet invented. In 1758 the Duke of Bridgewater began the great work which bears his name, forming a means of water communication between Manchester and the neighbouring coal-fields with Liverpool. The first proof we find in the Statute Book that the attention of the legislature had been turned to the means of inland water transit, is in William the Third's reign, when two Acts were passed for making and keeping navigable the rivers Aire and Calder, and the river Trent.<sup>2</sup> The magnificent canal of Languedoc, and a greater knowledge of Holland and its resources, probably suggested

<sup>1</sup> Malthus proves that the day's earnings of the labourer in the seventeenth century would purchase three-quarters of a peck of corn; and during the first half of the eighteenth century, a whole peck.—Cited by NICHOLS, vol. ii. p. 55.

<sup>2</sup> William III., cc. 25, 26.



the idea which Brindley executed. The success of this enterprise encouraged others of the same kind, which led gradually to the network of canals and navigable rivers, that, before the invention of railways, supplied the facilities of internal commerce over almost every part of England. Our national greatness was ripening. Never had the labourer's wages commanded so large a portion of the means of subsistence—never had there been so many signs of increased activity and enterprise. Had it not been for the rapid progress of corruption, the condition of England was, so far as the material interests of the upper and middle classes were concerned, one of almost unmixed prosperity. The national debt, however, increased, if not engendered by that corruption, had enlarged to dimensions which appear to us insignificant, but which our ancestors looked upon as awful. At the accession of George the First, it amounted to upwards of fifty-four millions; at the Peace of Paris, three years after the accession of George the Third, it amounted almost to one hundred and thirty-nine.<sup>1</sup> Well might Burke exclaim with prophetic sagacity, "Nations are wading deeper and deeper into an ocean of boundless debt." Had it not been for the unlimited power of borrowing, how many unjust and capricious wars would have been avoided. How different would

<sup>1</sup> £54,145,363, accession of George the First; £138,865,430, Peace of Paris.

be our condition, and the condition of our posterity. If half the sum lavished to prevent any one bearing the name of Napoleon from residing in France, for replacing the Bourbons on the throne of France and Naples, for giving Belgium to Holland, Norway to Sweden, Finland to Russia, Venice and Lombardy to Austria, had been employed by individual enterprise, what would now be the resources of England! An account of the abuse of public credit would be a valuable contribution to political science. If Colbert repented that he had unfolded to Louis the Fourteenth the prodigious resources, till then unknown, of France, when he saw the growing extravagance of his master, every Englishman of the present day, not possessed of a contractor's fortune—and much more the labourer and the mechanic—has reason to regret that the fatal secret, which enables a government like ours to borrow any sums that may be requisite to gratify the passion of the day, however unreasonable and pernicious, was ever unfolded to those entrusted with the administration of affairs in England. For it is the dividend, not the cause, which the loan contractor has in view; he would contribute as readily to the annihilation of all that is sacred among men, as to the support of it—more readily if the bargain was a more lucrative one; the market price of stock is his standard of morality. This,

again, is a cause of degradation peculiar to modern times. Far better would it be that we should be crying out against a debt of one hundred and fifty millions, than that we should be paying the interest on one between seven and eight hundred, and that in time of peace (and exclusive of local taxation, which is enormous) seventy-two millions of taxes yearly should be raised from the free and practical inhabitants of Great Britain.

The splendid roll of English poets, beginning with Chaucer, the day-star of our language, who wrote before it had attained its meridian, closed with Pope, the luminary of its twilight, whose laboured and brilliant verse was the presage of its decline. The age of poetry, among those who speak the English tongue, then ceased, probably for ever. That of eloquence was to succeed—to be followed by a period without either, in which railways, theological disputes worthy of the Byzantine empire, attempts<sup>1</sup> nearly successful to revive in a Protestant country the worst follies of the darkest ages, Jesuitical casuistry,<sup>2</sup> second-hand scepticism, schemes for fattening cattle, barren and mechanical philology, and the minute details of physical science, have taken the place of those studies which formerly trained some few Englishmen in all times to be great, skilful, and magnanimous—able to serve their country in peace and war. The luminaries of the

<sup>1</sup> "Tracts for the Times."

<sup>2</sup> Tract 90.

happy times of Queen Anne shed a brilliant lustre over all the reign of the first, and over the early part of that of the second, prince of the House of Brunswick. During this period Pope embodied his malevolence in some of the most admirably written verses in our language. His imitations of Horace, his "Essay on Man," his "Dunciad" were then composed. Berkeley, besides other smaller treatises, published several philosophical works, and a vindication of Christianity, thrown into the form of a dialogue, in a style rivalling that of Malebranche in beauty, most of them full of ingenious and profound speculation, and stamped with the goodness, the generosity, the love of virtue, the piety, the refined taste, the enlarged philanthropy, which enabled their author to soften the asperity of Swift, to win the suffrage of Pope, and, Christian as he was, to charm the ear of the sceptical and fastidious St. John. Bolingbroke and Swift embellished literature—the one by splendid declamation, the other by the terrible satire of Gulliver, and by the Drapier's Letters, which were not, as has been said, merely written to serve a party purpose, but to prevent a scandalous fraud, supported by the avarice of the Duchess of Kendal.<sup>1</sup> The art of political writing was carried to great perfection, and soon, like jurisprudence in the days

<sup>1</sup> Anderson's "Commercé," vol. ii. p. 124. Wood had been convicted of a fraud.



of Imperial Rome, became the sphere in which the most conspicuous abilities exerted themselves to gain the favour of the public. "Never," says one of the greatest masters of our language, "was writing in England at a higher pitch for learning, strength of diction, and elegance of style than in this reign (George the Second). All the good writing, too, was confined to political topics, either of civil, military, or ecclesiastical government, and all the tracts on these subjects printed in pamphlets."<sup>1</sup> This kind of composition had, indeed, as was to be expected in a free country, ever since the press became an instrument of thought, flourished in this island. The efforts of Martin Marprelate, and the pamphlets of Cartwright (the most powerful writer of controversy in our language), in Elizabeth's time, opened the path, and were followed by the fierce and eloquent vituperation of Tom Tell Truth, levelled at the disgusting vices of James the First, and the blasphemous servility of his Bishops; by two tracts of Lord Bacon, on Church Reform, which, if he had written nothing else, would be sufficient to make his name immortal; by "Killing no Murder," which made Cromwell himself tremble; by various tracts of Milton, all instinct with genius, and especially the "Areopagitica," a defence of free discussion that no writer in any other nation has approached. As we

<sup>1</sup> "Hervey's Memoirs," vol. i. p. 304.

descend we find the admirable tracts of Halifax, and the essays of De Foe,<sup>1</sup> Davenant, Julian Johnson, Trenchard, Anthony Collins, and Asgill; the Examiner of Swift, the Craftsman, Cato's Letters, and the various papers of the great master Bolingbroke. Then we have the brilliant pamphlets of Lord Hervey. Lord Egmont distinguished himself extremely in the same manner, and kept the thread unbroken till the days when the polished invective of Junius cast all but Swift and St. John into the shade. But neither the letters of Junius, nor Dunning's attack on Lord Mansfield's doctrine in cases of libel, nor Burke's famous pamphlets, fall within the limits of this chapter. The worst of these pamphlets is far superior to anything the present age has produced, or (if we may judge of its capacity by what we read in its daily efforts) is capable of producing.<sup>2</sup> Akenside,

<sup>1</sup> "The fellow who was pilloried, I forget his name," says Swift, speaking of one of the most vigorous writers in our language. "Earless on high stood unabashed De Foe," says Pope, who is base enough to reproach De Foe with a punishment he had not done near as much to deserve as Pope himself. In the next line he reproaches Ridpath with the savage sentence of Jeffreys—a disgrace, not to Ridpath, but to England, and, as Pope has contrived it, to Pope himself—

"Ridpath flagrant from the scourge below."

But Pope had a thoroughly ungenerous nature; and where his vanity was touched, was quite implacable. His verses on Lady Mary Wortley ought to have driven him out of all social intercourse. Atterbury described him (the internal evidence of the anecdote establishes its truth)—

"Mens curva in corpore curvo."

<sup>2</sup> It is curious to observe how free these writers are from the vulgarity of thought and language, the slang phrases, &c., which mercantile habits have given to our literature: it is evident they addressed another class of readers.

Thomson, Young, are to the great English poets what Claudian, Statius, and Lucan are to Lucretius, Virgil, and Catullus. Gray, destitute of creative genius, writes with excessive labour, borrowing his thoughts from the Greek and Roman poets, and his language from Dryden. Goldsmith is sweet and captivating, but the greatest poet in the true sense of the word is Collins. The mighty writers of the sixteenth and seventeenth centuries were followed by others who addressed themselves to a wider and of course an inferior class of readers. Our greatest writers lived in the time when the public was least numerous: they were beyond the mob.<sup>1</sup> The decay of higher literature in England has steadily kept pace with the increasing number of those to whom authors appeal for encouragement and support. It is hardly possible (we have as yet seen no instance of it) that a great work should be produced in an age when literature is a mercantile speculation. As the division of labour has added to the wealth of the community,<sup>2</sup> but lowered the energies of the individual, so the habit

<sup>1</sup> Milton did not want to make a fortune or to be a peer. The mob could give him one, and the favour of a court the other—neither could establish the merit of "*Paradise Lost*." In our day Cicero would have been a baron (not of the Exchequer), and Tacitus a baronet.

<sup>2</sup> Of the two extremes, is not a savage who makes his canoe, tracks his game, and scalps his enemy, or is scalped by him, and endures hardships and tortures without a murmur, a superior being to the man who sells his vote (that is, betrays his country), and passes his life in making the eighteenth part of a pin's head?



or necessity of composing works suited to the taste of ill-educated people has (especially in England) lowered the aspirations of those who are born to teach and elevate mankind.<sup>1</sup>

The marvellous eloquence and deep thought of Jackson of Barrow, and Jeremy Taylor—single sentences from whom outweigh all that churches are now thronged to hear—the caustic energy of South, the ever various and unquenched spirit of Dryden, bursting forth like the living waters of a fresh fountain, and embodied in a style always suited to the subject, and of which it is impossible to be weary, were replaced by the elegance and inimitable humour of Addison, the pure idiom of Sharp, the easy sense of Tillotson, the Ciceronian style of Smalridge. These traditions were continued, not unworthily, towards the close of the period I am endeavouring to describe, by the finished writing and keen argument of Middleton, the close logical reasoning of Clarke, and the flowing rhetoric of Sherlock. Butler displayed a power of subtle reasoning and a genius for metaphysical inquiry which no Englishman had ever equalled; his style is perplexed, and his analogy, skilful and ingenious as the argument is, is rather calculated to

<sup>1</sup> Perhaps as great a master of English prose as ever wrote, is a writer now almost unknown, Henry Smith, who preached at St. Clement Danes, and died certainly before 1609. There are passages in his works equal to those of any English prose writer. See APPENDIX.



confirm the believer than to convince the sceptic; but his sermons on human nature, and the preface to them, are full of arguments at once solid, original, and profound. This great man owed his elevation to the discriminating and steady patronage of Queen Caroline. But before the accession of George the Third, a new writer had come forward, the greatest man that the northern part of the island (which, fertile in useful qualities, is comparatively barren in taste and genius) has ever produced, expressing in a style always perspicuous, and often informed by rare and genuine eloquence, the speculations of one of the most profound and comprehensive intellects that man has ever been permitted to enjoy. This was David Hume—if political life be set aside, the greatest man born in this island during the eighteenth century. As an historian, he undertook, not from any base or sordid motive, but from disdain of vulgar opinion, the desperate cause of the Stuarts, and, indeed, of kings in general. Thus his graceful narrative, warped incessantly to this overruling purpose, is one continued misrepresentation. But wherever he has to deal with a more general question, wherever he has to point out the progress of society, and the shifting relations of the different elements composing it, the subject is at once lighted up by the most enlarged wisdom, and the most searching penetration. In metaphysics he

pushed the creed (then universally received) of Locke to its only legitimate consequence—universal scepticism. Berkeley had, with equal eloquence, and a boldness that, his profession considered, is most surprising, sought refuge from such a corollary in the shadowy spaces of an ideal world. Hume took up the argument where Berkeley left it, and carried it with merciless rigour to its utmost limits; and such is the advantage of free discussion, so deeply concerned is the interest of truth in the full, unreserved examination of every topic that reason will enable us to discuss, that this work of Hume's gave occasion to the most powerful work that has yet been seen on the side opposite to his own, and to the most complete refutation of that doctrine from which the scepticism of Hume is an irresistible conclusion.<sup>1</sup> It was from deep meditation on the arguments of Hume that Kant was led into the train of thought which gave rise to his work, the greatest monument of metaphysical science that has been erected since the days of Aristotle, in which, following the track of Leibnitz,<sup>2</sup> he overthrows the doctrine of Locke, on which the system of Hume, and of the French materialists during the eighteenth century, had been established. Kant's work is the text-book of all spiritualists, and the source of all that has been

<sup>1</sup> ἀγαθὴ δ' ἐπὶς ἥδε βροτοῖσιν

<sup>2</sup> Nouveaux Essais sur l'entendement humain.

written since it appeared. The reputation of Hegel, Fichte, and Schelling was ephemeral, but the splendour of Kant's reputation is not unimpaired only, but augmenting. Besides the history and his metaphysical treatises, Hume has written a volume of essays on political subjects, full of large and liberal sentiments, as of sagacious remarks, and anticipating much that is now the creed of statesmen. The faults of this great man are—a want of imagination, and a certain coldness of temperament which often prevents him from displaying the sympathy due to the claims of freedom, of justice, and of virtue;<sup>1</sup> a sophistry of which he must have been perfectly aware, exercised on the most important questions of morality; and a disposition to look up to rank, which, but for the disinterested love of letters he exhibited during his whole life, and for the great allowance to be made for the habits and education of his countrymen, might sometimes be thought to border on servility. Very different from the character of this illustrious man is that of a person who began at this time to obtain eminence, and who has, in some measure, from his intellectual defects, which were exactly those most popular among us, obtained an exaggerated reputation. This was Samuel Johnson, a man of vigorous but contracted understanding, the slave of prejudices and

<sup>1</sup> Thus he could make no allowance for the morbid sensitiveness of Rousseau.



superstition that would disgrace a peasant—coarse in his habits, brutal in his language, honest in his errors, whom the English obstinately revere as a critic and a wit, though almost every page of his writings shows that he was as incapable of appreciating the highest order of poetry as a blind man would be of appreciating Raphael; and the collections which have been made of his sayings, though occasionally enlivened by vigorous expression and poignant repartee, contain many more proofs of obstinate prejudice, illogical evasion, and downright brutality. The redeeming qualities of his moral character were manliness, and a rude but touching and genuine benevolence: a most retentive memory, and strong natural sense, that sometimes dissipates the mist of inveterate prejudice, are the characteristics of his understanding; of anything like refinement or philosophy he is altogether destitute. His language, when he puts aside for a moment his detestable style, is pointed, vigorous, and concise. His best works are the life of Savage, whom he loved; the life of Dryden, whom he appreciated; the paraphrases of Juvenal; the verses on the death of a humble friend;<sup>1</sup> the preface to his Dictionary; the letter to Lord Chesterfield; above all, the review of Soame Jenyns. There is much in each of these of

<sup>1</sup> Those which begin—

“Long vexed by many a trial here,  
See Levett to the grave descend.”



which the most distinguished writer might be proud. As he was an indiscriminate admirer of the English Church, and an implicit worshipper of hereditary right, his reputation has been made a party watchword by many ignorant and servile writers, and especially by one whose career has shown the power of mere insolence to impose over the English mind, and proved how an impostor, without the common learning of a schoolboy, in spite of incessant and ludicrous blunders<sup>1</sup>—not master even of a tolerable style—was allowed by the blind, unreasoning flock of English readers, to assume the chair of the critic, and to dictate to them magisterially, for a quarter of a century, on subjects of which he had the first rudiments to learn.

But what really distinguishes, in a literary point of view, the age which succeeded the great writers of Queen Anne's day, is the art of novel writing, which was carried to a pitch that, in spite of the brilliant writings of Walter Scott, has been never since attained. Smollett, though possessed of humour, and capable of describing with much effect low scenes and ordinary characters, is a coarse, narrow-minded, and virulent writer.<sup>2</sup> But Richardson and Fielding

<sup>1</sup> This person translates "*fallentis semita vitæ*," *the path of deceitful life!* and explains the German expression "*Schatz*" (treasure), applied by George the Second, when Prince of Wales, to Mary Bellenden, to mean *chattering*!—CROKER'S *Notes to Lady Hervey's Letters*.

<sup>2</sup> Besides his novels, he composed an ill-written and malignant pamphlet, in

are two of the greatest men our country has produced, and deserve to be ranked at no great distance from Cervantes (the third name in modern literature), and the author of "Gil Blas." It is from the writings of these great painters that we gain the best insight into the manners of the age. The works of Fielding still preserve some hold over English readers. Those of Richardson are fast becoming obsolete. What Shakespeare has said of a corrupted woman, is, as we have abundant reason to know, true of corrupted taste—it will

"Sate itself in a celestial bed,  
And prey on garbage."

Few are the contemporary admirers of the trash which pours like a deluge from the press in almost every shape, and under every name—from the biography of a surly, illiterate fox-hunter,<sup>1</sup> to dissertations against Raphael—who have given an hour to the sorrow of Clementina, or the machinations of Lovelace; yet, if exquisite delineation of the minute workings of the soul, the most touching pathos, the most dramatic animation—if these be merits in a novelist, we shall look in vain for any parallel to the description of the agonies of guilt in its last dreadful

four volumes, which he called a "History of England." 'It is from the translation of this hard, coarse writer that most Englishmen form their notions of "Don Quixote," the most pathetic and eloquent, as well as the wittiest work in modern prose.

<sup>1</sup> We, the countrymen of Milton, have lived to see this "ultimum" of what is commonplace.

hour, to the scenes in the cedar parlour, to the death-bed of *Clarissa* (which may bear a comparison with that of *Don Quixote*), to the remorse of *Lovelace*, to the fatal duel in which he expiates, as far as death could expiate it, his enormous crime, and to the effect produced by the letters, full of conciliation and repentance, that arrive from the *Harlowes*, whose pride has given way too late, when all is over, and the spotless being whom they have helped the ravisher and his agents to destroy, is beyond the reach of human wrong and suffering. *Fielding's* merits are different; he is far superior to *Richardson* in style and the construction of a story; perhaps it would be difficult to find any plot in the whole range of modern novel writing at all to be compared for felicity with that of "*Tom Jones*." *Fielding* was an excellent scholar, in the real sense of the word, as it was understood before we became the servile imitators of Teutonic pedants. He was a scholar, as *Bossuet*, and *Massillon*, and *South*, and *Berkeley*, and *Milton*, and *Middleton* were scholars; that is, he had imbibed the spirit and appropriated the habits of thought and style belonging to the great masters of antiquity. In his day, when those who really devoted themselves to such studies were few, but excellent, not crammed into insignificance by trading tutors, it was not the business of a life limited to so short a space as ours, to replace an anapæst by an

iambic, or to determine whether the optative mood might not sometimes follow a particular particle. That was left to those whose disposition fitted them to be antiquarians and verbal critics, instead of orators and poets, who were to act as the pioneer does to the general, and on whose minds the immortal works of the greatest writers the world has seen might lie like the Grecian column on a barren moor, or the Elgin marbles in a London street, contrasting with a deformity they could not embellish. Fielding's mind was of another sort ; he studied Aristophanes, Plutarch, Lucian, Rabelais, Horace, and Cervantes, as masters to teach, as models to imitate, and as rivals with whom he was to enter into a generous competition. In pathos he is, like every other writer of romance but Cervantes, far inferior to his rival ; but in gaiety, or a buoyant cheerfulness that puts aside the calamities of existence, he is far beyond, not Richardson only, who is deficient in these qualities, but all English novelists. His humour,<sup>1</sup> grave, exquisite, and piercing, reminds the reader sometimes of Addison, and sometimes of Cervantes himself. He does not lay bare the inmost springs and motives of the soul with the fidelity and truth of Richardson, but he yields to him alone. For truth and breadth of colouring, his characters, though

<sup>1</sup> See especially the inimitable chapter on hats in the "Life of Jonathan Wild."



not drawn with all the fine touches and strokes of his rival, have never been surpassed. They represent not individuals, but a species—beings that never will disappear from England till our laws, constitution, religion, and the manners derived from them, undergo a total change; though the external form is softened and a little disguised, the substance is the same. Few of us, indeed, have ever known an Allworthy. But he is more fortunate than most men who has not met with many an officer who, in reality, holds the creed, and almost echoes the sentiments, of Ensign Northington (at any rate our court-martials show that many of the species still exist); magistrates at quarter sessions, whose intellectual descent may be traced in a direct line to Squire Western; lawyers, who, like Dowling, declare that if they were in twenty places at once much of their business must remain undone;<sup>1</sup> parsons, though not actually handlers of swine, as churlish, as sordid, and as tenacious of high Church principles as Trulliber; and in every class of life, at the bar, in the pulpit, behind a counter, on the bench of justice, as on another bench, in the town and in the field, and even in public life—hypocrites as detestable as Blifil. If Richardson may be compared to Perugino and

<sup>1</sup> This affectation is as old as Chaucer. He says of his Serjeant-of-Law—

“ Nowher so busy as he there was,  
And yet he seemed busier than he was.”

Vandyke, Fielding is the Rubens of novelists—like that great master, his colouring is always glorious; and if they are sometimes indelicate, his figures are always animated with the crimson glow and swelling outlines of health and nature.

Tragedy had expired among us with Rowe and others, in whose writings are to be found the last faint reflection of the genius which had once illuminated the buskined stage. It is difficult to find a stronger proof in the history of literature, fruitful as it is in such evidence, that there are certain periods in the moral as in the physical world, which bring forth chosen fruits in great abundance, and which are followed by periods of dearth and scarcity, than the condition of the English stage during the latter half of the eighteenth century. Flagitious as are the works of the great comic writers after the Restoration, the overflowing wit and the command of language displayed in the comedies of Etherege, Vanbrugh, and Congreve, is marvellous.<sup>1</sup> The reader is dazzled by an incessant blaze of allusion, antithesis, and repartee—it is a continued play of rockets; a shower of artificial light; a tissue of conversations that we may imagine in the presence of Charles the Second, with Rochester, and Buckingham, and

<sup>1</sup> I do not include Wycherley—a hard, unamiable writer, whom I always thought much overrated—nor even Farquhar, though full of spirit and incident, in the category of these extraordinary men.

Sedley, and the frail beauties whose forms Lely has placed on his canvas, and whose actions Grammont has commemorated in his memoirs. To be sure it is the wit of the head, not of the heart; indeed, it is wit inconsistent with human feeling and sympathy. It is not like the wit of Cervantes, and Molière, and Shakespeare—universal, for all time, and all languages, for every one of woman born—but the wit and ridicule that would rouse for a minute the languid smile of the worn-out sensualist, and amuse the venal courtier, who has just begged from his indolent master the sum which some victim of Jeffreys' has agreed to pay, in order to save himself from evisceration—the creatures of a peculiar age and a factitious society; wit that rises to the lips of the sneering cynic, the angry mistress,<sup>1</sup> the dissolute man of fashion; and ridicule that is produced sometimes by the contrast between those who scornfully lead, and those who blindly follow, the manners of the day, and sometimes by that between the rude coarseness of natural brutality and the affectations of artificial refinement.

The next writer for the English stage who displayed original genius and real humour, was Foote, whose plays, though they sometimes degenerate into farce, are full of vigorous satire, and comic situations. Sheridan, who follows him, is brilliant

<sup>1</sup> "Let Dorimant betray, and Loveit rage."

and artificial, but his laboured wit and studied dialogue fall much short of Congreve, whom he constantly aspired to imitate.

I have not mentioned Gay among dramatic writers, yet the "Beggar's Opera," brought out in 1728, still keeps possession of the stage, though the allusions to which it owed its excessive popularity are forgotten. Still, though there is some vivacity in the dialogue, the songs, and the habits that it discloses of a class now destroyed, but then to be met with in every part of England, are the causes of its prolonged existence. The quarrel between Peachum and Lockit was generally applied to the scene between Walpole and Townshend, and received with great applause. Sir Robert Walpole, to avoid the shafts perpetually aimed at him, at last brought forward the famous Licensing Bill, subjecting plays to the revision of the Lord Chamberlain—a strange enactment to be endured in a free country, but which, in spite of a brilliant speech from Lord Chesterfield against it, the minister succeeded in carrying, and which is still allowed to remain a badge of English indifference to refined and immaterial pleasures.



## CHAPTER II.

HISTORICAL REVIEW OF THE REIGNS OF GEORGE THE  
FIRST AND GEORGE THE SECOND.

SINCE the Revolution, and the barriers it fortified rather than raised against the royal power, the government of England had become a mitigated aristocracy—meaning by that word, not a government of those technically noble, nor of an exclusive body (Lord Sunderland and Stanhope's attempt to make the House of Lords one was happily defeated), but a government of the territorial and moneyed aristocracy, reinforced by opulent merchants, successful lawyers, and eminent commanders by sea and land. The popular element, though it burst forth occasionally, and swept like a hurricane everything before it, had little direct influence on the general course of events, and was long unfavourable to the rule of the House of Brunswick. In the House of Commons it scarcely showed itself at all. This tendency had been materially worsened by the union with Scotland, which added a body generally as

obsequious to the Crown as the very bishops to the peers, and filled the House of Commons with men greedy for place, returned for ludicrously small constituencies, and after elections from which every shadow of a popular franchise was elaborately excluded. Such a government, however, with all its faults, if they could have been restrained within reasonable limits, was perhaps no bad compromise with the evils and abuses incident to all human affairs; but the vices inseparable from such a state of things developed themselves with gigantic strides under the reign of Walpole and his successors. When corruption supports power, power will abet corruption. Almost undisguised it became the mainspring of government—the House of Commons became its stronghold. Vast sums of money were distributed amongst the aristocracy and their dependents, sometimes under the disguise of sinecures and patent offices, sometimes in direct pecuniary gifts. By such means, as well as by his judicious policy, Walpole, not without some difficulty, kept the crown on the head of George the First and of George the Second, and bribed the English nation with their own money to continue free. During the reign of George the Third the same system was at first continued, to establish the influence of the Crown; but open and direct bribery was employed more and more rarely, and at the beginning of this

century, till the Reform Bill, had probably ceased altogether. But the Tories who supported Perceval, Sidmouth, Liverpool, Castlereagh, Vansittart, in their most absurd and oppressive measures, divided among themselves immense emoluments, in the shape of sinecures, pensions, and patent places, while the burdens of the country were increased in the most reckless manner by ministerial neglect and incapacity. These ministers, for the most part men of obscure origin and mean abilities, took advantage of the system which they found established, and wielded it with well-nigh fatal success against the cause of constitutional government, which the Whigs at any rate had employed it to support.

It is true that the Whig party, to which the nation owed its deliverance from arbitrary power, were corrupted with long office and almost uninterrupted prosperity. During the reigns of George the First and George the Second, the Tory party, the majority of which were partisans of the House of Stuart, solely bent on breaking down the power of their rivals, were forced to borrow the old language of their foes, to declaim against the arbitrary language of speeches from the throne, and to come forward as champions of the people, and opponents of the prerogative. Up to the Revolution, the royal prerogative had been the sole object of constitutional jealousy; it was to that which all provisions against encroachment

pointed, and against which barrier after barrier had been raised. But during the silent lapse of events and without any visible revolution, the executive power had been in great measure transferred to the aristocracy, of which the two Houses of Parliament were now almost exclusively composed; against their abuse of the authority so confided, there was, while Parliament was sitting, no security at all. Whatever they did, even those acts which set most at defiance the passions, prejudices, and in some cases the sound and righteous instincts of the people, was done in the name of the people, and by their authority. Any person who could succeed in obtaining the favour of any of the great families then in the ascendant—Russell, Cavendish, Grenville, or Pelham—was certain, though he was as worthless as Dodington or Rigby, or as thorough an adventurer as Barré, of obtaining his share in the numberless places, peerages, and reversions which were distributed among those bodies, and which amounted to a sum that even now—though far short of what was lavished among the Scotts, the Roses, and the Addingtons of a later generation—appears prodigious; and as, without a civil war, the power of finding a cure for this evil rested in the very persons who profited by it, it appeared, especially after Mr. Burke's Bill for Economical Reform had been frittered away and evaded, almost remediless. The privileges of the



House of Commons were turned against the people, and used as an instrument for their oppression. Every day gave the Government, in spite of the dead letter of the constitution and the law, more and more the appearance of an imperious and interested oligarchy. Therefore, if George the Third and Lord Bute had acted with more dexterity,—if they had not early set the nation on their guard, and if the glories of the Seven Years' war had not gone far to pour balm into the blood of the people, who before Pitt's administration were in a state of alarming discontent,—if the scandalous peace of 1763, and the disasters of the American war, had not covered the councils which led to them with disgrace, and rendered their authors the just objects of national antipathy, it is difficult to say how far the scheme, certainly contrived and even carried to a considerable length, of governing England by the royal will alone, might have been successful.

That there was a formed party at the death of Queen Anne, to restore the Pretender to the throne, may now, in spite of the solemn asseverations to the contrary of Lord Bolingbroke and Atterbury, be reckoned beyond dispute.<sup>1</sup> The Duke of Hamilton

<sup>1</sup> The dispute is as to when the resolution was taken. Mr. Rose, an authority for which I have no respect, says in a note to Coxe, cited in the "Marchmont Papers," vol. ii. p. 192, that just before Queen Anne's death the Tory ministers hesitated which king to choose. And see "Marchmont Papers," vol. ii. p. 241, note.

was the agent through whom the negotiation between the Tory leaders and the son of James the Second was to have been carried on; but his death in the duel with Lord Mohun interrupted for a time the intrigue which might have been fatal to English freedom.<sup>1</sup>

The Peace of Utrecht, which enabled France to recover her lost influence, and undid what so much blood and treasure had been lavished to accomplish, was concluded with the same object. The antipathy shown towards Harley<sup>2</sup> by the violent Tories, and his ultimate disgrace, may be traced to his reluctance to engage irretrievably in the projects which those who raised him to power had in view. Neither he nor, I believe, Swift entered fully into the designs of Bolingbroke and Atterbury, to declare the Pretender king,

<sup>1</sup> See Swift's most remarkable letter to Mrs. Dingley, giving an account of this event (vol. xiv. p. 299, Edinburgh Ed., Nov. 15, 1712):—"Before this comes to your hands you will have heard of the most terrible accident that almost has ever happened. This morning at eight, my man brought me word that Duke Hamilton had fought Lord Mohun and killed him, and was brought home wounded. Lord Mohun (he was a detestable wretch) was killed on the spot. . . . The duke died on the grass before they could reach the house. Macartney, and one Hamilton, were the seconds, . . . and are both fled. I am told a footman of Lord Mohun's stabbed Duke Hamilton; some say Macartney did so too. Mohun gave the affront and yet sent the challenge. I am infinitely concerned for the poor duke, &c. . . . He had the greatest mind in the world to have me go with him to France." Macartney came back, and was tried and acquitted at the Old Bailey in George the First's reign. Hamilton, the duke's second, was tried immediately.—SWIFT, *ibid.*, 312.

<sup>2</sup> " (Lady Masham) told (Harley) in her own house last Thursday morning, these words: 'You never did the queen any service, nor are you capable of doing her any.' "—Lewis to Swift, SWIFT'S *Works*, vol. xv. p. 89. And see Lady Masham's letter iii. (ib.) to Swift, in which she calls Harley "that wretched man."

and set aside the Act of Settlement; and the Commons, though there was sufficient evidence to establish against Oxford<sup>1</sup> a charge of high crimes and misdemeanours, could hardly have maintained the charge of treason, which might, beyond all doubt, have been made good against his brilliant and ambitious colleague.

It has been doubted whether more forbearing conduct on the part of George the First might not have averted the rebellion which broke out the year after his accession, and he has been accused of making himself a party king; but if we consider his ignorance of the character, and even of the language, of the people which he was taken from a little German court to govern, the inveterate hostility of the Jacobites against him, the profound indifference, if it ought not rather to be called the decided aversion, of the great mass of the English to his cause,—if we consider all these things, perhaps we shall come to the conclusion that to put himself entirely in the hands of the Whigs, and to yield implicitly to their advice, was the wisest course he could pursue. An opposite course had involved William the Third in difficulties which it required all his abilities, and some assistance from accident—such the abhorrence inspired by the discovery of the plot for his assassination must be considered—to overcome.

<sup>1</sup> The Earl of Oxford died 1724.



George the First, no more than that illustrious man, was the Tory king. Whether, if the Jacobites had played their game more prudently, if Louis the Fourteenth had not died at the crisis of the struggle, above all, if the Pretender had embraced the Protestant faith, or, like Henry the Fourth, displayed a readiness to listen to the arguments in favour of the national creed, the attempt to overthrow the House of Hanover might not have been successful, may perhaps be doubted. But the precipitate Rebellion of 1715 established the throne it was intended to overthrow. If Louis the Fourteenth had lived, it is probable that he would have sent the Pretender substantial resources. "My hopes," said Bolingbroke, "sank as he declined, and died when he expired." The Regent, at first a neutral spectator, when the issue of the struggle was apparent, became a cordial supporter of the Hanoverian dynasty; indeed, when the standard of the Pretender was set up at the Brae of Mar, his cause was desperate. The death of his great protector, the discovery of the design at home, and the measures taken to defeat it, were fatal to a project which had been undertaken with precipitation, and was carried on without ability.

Long before the publication of Lord Bolingbroke's letter to Sir William Windham, none but the most incorrigible bigot to hereditary right could have joined



in an endeavour to place upon the throne of England a ruler who, from education, temper, habit, and belief, must have been the determined and indefatigable enemy of our religion and our liberties. The repeal of the Triennial Act, soon after the accession of George the First, was a measure that necessity did, and alone could, justify. It is a conclusive proof that the mass of the people, including the gentlemen who filled the rural throne, and the country clergy, were not to be trusted with the Revolution settlement, but were willing to expose the constitution to fresh hazards. Bolingbroke, who has declaimed with great power against the measure, has, in another of his writings, furnished the best argument for its justification. It was justifiable as the death of Cæsar was justifiable; as the distribution of provisions belonging to other people, among the crew and passengers of a ship becalmed or driven out of its course, is justifiable; as the flinging goods overboard in a storm is justifiable; as the attainder of Strafford was justifiable; as the Revolution itself was justifiable; as the suspension of the Habeas Corpus Act may be, and sometimes has been, justifiable. Necessity is the tyrant's plea when it is pretended; when it exists it is the motive of the patriot, and, in the eye of dispassionate reason, his vindication.

The absence of George the First at Hanover facilitated the intrigue which ended in the temporary

disgrace of Walpole and of Townshend. The authors of this cabal were Robert Earl of Sunderland, the son of the profligate minister of James the Second, a man altogether worthy of such a parent, and of the maxims which he had imbibed, and James, afterwards Earl Stanhope, an unfortunate general and worse than unfortunate minister—one of those men who, because they are destitute of genius, have so often in this country acquired a reputation for sense and probity which their conduct on important and critical occasions is far from justifying. Stanhope's conduct during this intrigue,<sup>1</sup> the result of which had well-nigh deprived his master of the crown, is to the full as base and dishonest as that of Sunderland, and can be accounted for on no principles of honour or integrity. George the First brought with him from Hanover mistresses as rapacious, and satellites as ignoble, as those which drew down such deserved obloquy on Charles the Second. Bothman, Bernsdorff, Robethon, and two Turks,<sup>2</sup> Mustapha and Mahomet, meddled more with public affairs, and were minions to the full as venal,

<sup>1</sup> Stanhope's conduct on this occasion was thoroughly treacherous. He owed his appointment solely to Townshend and Walpole, who placed in him the most unreserved confidence. He had been sent by them to Hanover, expressly to prevent the intrigue of Sunderland, which without his co-operation could not have been successful.

<sup>2</sup> "To these persons of ostensible consequence must be added two Turks. These low foreigners obtained considerable sums of money for recommendations to places."—COXE's *Life of Walpole*, vol. i. p. 144.

as Chiffinch, Pepys, and Smith;<sup>1</sup> nor were the relations of Louisa Duchess of Portsmouth, of Barbara Duchess of Cleveland, or of Mrs. Eleanor Gwyn with Charles the Second, more notorious than those of Erengard Melusina Duchess of Kendal,<sup>2</sup> and of Sophia Countess of Darlington with George the First; and, as the vices of a new court, they were judged with more severity. It was by stooping to abet the vile arts of these mercenary creatures<sup>3</sup> by gorging their avarice, and by flattering the morbid detestation of George the First for his son, that Sunderland and Stanhope contrived for a very short time to engross the power which they employed to assail the constitution and bring the nation to the very verge of ruin.<sup>4</sup>

<sup>1</sup> Dog Smith.

<sup>2</sup> "Money was with her (the Duchess of Kendal) the principal and prevailing consideration; and Walpole was often heard to say she was so venal a creature she would have sold the king's honour for a shilling advance to the best bidder."—Coxe's *Walpole*, vol. i. p. 141.

"His other mistress was Sophia Charlotte Countess of Darlington. Her character for rapacity was not inferior to that of the Duchess of Kendal."—*Ibid.*, p. 142.

The Duchess of Kendal, besides £7,500 pension, had the profits of the place of Master of the Horse, which, after the resignation of the Duke of Somerset, was never filled up during the reign of George the First. The Countess of Platen had those of Master of the Buckhounds.—*Ibid.*, p. 143.

<sup>3</sup> "Count Lippe's story of the Countess of Platen is certainly a lie. I am informed that she has not the least design of going to England. Neither do I find anything that looks the least like it in her conversation, though I have often the honour of her company, and am well with some other ladies that are in her good graces, as you may perhaps soon find to your cost. I shall take care to bring you off as cheap as I can."—Townshend to Walpole, Coxe, vol. ii. p. 267, 4to. Walpole distinctly admits that Wood's patent was granted to enrich the Duchess of Kendal.—*Ibid.*, p. 276.

<sup>4</sup> When Walpole came to resign, it is said the king returned the seals to him ten times.



The South Sea scheme and the Peerage Bill have branded the administration of Sunderland and Stanhope with a mark of lasting infamy. The Peerage Bill was the most deadly blow that had been levelled at the constitution since the Act giving to the king's proclamations the force of law. It provided that the number of English peers should not be increased beyond six, which, upon failure of issue male, might be supplied by new creations ; and that instead of sixteen elective peers from Scotland, twenty-five should be made hereditary from that part of the kingdom. It is superfluous to make a lengthened comment on a measure the immediate effect of which would have been to change the House of Lords into an oligarchy, and which at no distant time must have brought about a revolution. That this measure was defeated was owing almost entirely to the energies and determined opposition of Walpole, who, if he had done no more, would then have established an indefeasible claim to the gratitude of his country. In the South Sea scheme the blind infatuation of a credulous and mercenary people was succeeded by the frantic violence of despair. That the German concubines and favourites had, from the most sordid motives, fomented the delusion of the sufferers, and had largely profited by an event which plunged so many families in hopeless ruin, is evident beyond dispute ; it is also clear that large



sums had been paid to Charles Stanhope, Sunderland, Aislalie, and Craggs (the creature of Sunderland).<sup>1</sup> The first two escaped, the third was expelled the House of Commons, and the fourth destroyed himself. With questionable morality, but from no ungenerous motive, Walpole saved Sunderland and Charles Stanhope from the fate they merited.<sup>2</sup> By his prudence and wisdom he allayed the indiscriminate fury of the people, and gave time for wiser counsels to prevail. He was able to mitigate the evil he had not been permitted to prevent. In the hour of darkness and danger, when the ship was driving fast upon the breakers, and the crew, instead

<sup>1</sup> Sir John Blunt, Mr. Gibbon, Mr. Chester, Mr. Holditch, and Mr. Knight, had the chief disposal of the stock, which was thus distributed:—

	£
Earl of Sunderland . . . . .	50,000
Duchess of Kendal . . . . .	10,000
Countess of Platen . . . . .	10,000
Her two nieces . . . . .	10,000
Mr. Craggs, Sen. . . . .	30,000
Charles Stanhope . . . . .	10,000
Sword Blade Company . . . . .	50,000
Charles Stanhope, under the name Stangape . . . . .	250,000

In the third subscription—

Aislalie list amounted to . . . . .	70,000
Sunderland „ . . . . .	160,000
Craggs „ . . . . .	59,000

A deficiency of £400,000, owing to Knight's contrivance, was proved. He absconded, and lived in great splendour at Paris. As Pope tells us—

“ Knight keeps his coach, for what are crowds undone  
To three essential Partridges in one?  
Gone every shame, and silent all reproach,  
Contending princes hand him to his coach.”

The present age saw nothing worse or baser during the railway mania.

<sup>2</sup> Stanhope escaped by three votes, Sunderland by sixty-one.

of helping to save her, were occupied with schemes of wild and desperate revenge upon each other, he was the pilot to whom every eye was turned—he brought her safely into harbour. Even the slow, callous understanding of George the First was awakened to an appreciation of the danger from which he had been saved; and from that hour till 1741, when an unnatural coalition of disappointed Whigs and factious Jacobites overthrew his power, Walpole remained, as he deserved to be, the chosen and almost the sole counsellor of the House of Brunswick. Meanwhile his influence was on a rock. The schemes and eloquence of Bolingbroke, the genius and influence of Carteret,—two men of rare abilities,—were employed in vain to shake the confidence of the king in the minister whose services became every day more conspicuous and decisive.

During the administration of Sunderland, the antipathy of George the First for his son had displayed itself in the most signal manner. A scandalous scene took place at the christening of one of the Prince of Wales's children: The prince told the Duke of Newcastle, who by the king's desire stood godfather to the child, that he was a villain, and shook his fist at him with the politeness and dignity common to the German princes of that day. The king put his son under arrest, then ordered him to quit the palace, deprived him and the princess of

their guard, and gave formal notice that no one who visited him would be received at court. Surely, the minister who kept the crown on the head of such beings, without injury to the constitution, is entitled to the character of a great statesman.

The South Sea frauds had brought about an event which strongly marks the barbarous state of the law, and the terrible evils that a profession always at that time rather making gain than justice the end of its labours, fostered. This was the impeachment of Lord Macclesfield—the first magistrate in England,<sup>1</sup> by whom the judges were selected, the head of the law, the keeper of the king's conscience, who, having been Chief Justice, was now Lord Chancellor—for corruption, always foul, but in this case especially shocking, and the immediate cause of the deepest and most wide-spreading misery. The Lord Chancellor had the power of appointing the Masters in Chancery—an office now abolished, but then, and till our own day, of very considerable importance.<sup>2</sup> It was the duty of the Master to examine the subordinate details of matters brought before courts of equity, and lay an account of them before the Chancellor, and to take care that the arrangements

<sup>1</sup> He succeeded Holt as Lord Chief Justice, 1710; and became Lord Chancellor 1718. ("State Trials," vol. xvi. p. 770.)

<sup>2</sup> It ought not to have been abolished, but reformed. It had run to seed, like everything else not incessantly watched in England. The want of such officers is now severely felt. The office was borrowed from that of *maîtres des requêtes*.

ordered by the Court were properly carried into effect. In conformity with that disregard of the most ordinary rules of equity and practical sense which characterised at that time every portion of our municipal law, much of the personal property which was the subject of litigation was absolutely at the disposal of these men; and as every one appointed to carry a will into effect, and every one who disputed the construction of a will, might cause the testator's property to be the subject of a Chancery suit—to say nothing of the number of other causes which for different reasons were brought before that tribunal—it is easy to conceive the vast amount of property confided to their integrity. It was stated in the report of the House of Commons that once in thirty years all the property in England passed through the Court of Chancery. The Lord Chancellor, not satisfied with the enormous profits of his place, with a large sum bestowed on him by the Crown, with a great pension granted (till a sinecure should fall vacant) to his son, carried on, as it was clearly proved, and as he did not indeed attempt to deny, a regular traffic in these judicial offices.

Nor, if his history be considered, is this at all surprising. Destitute of all liberal education, he had risen by skill in chicane, and influence with the class to which he originally belonged, to the office which he thus degraded.



The Masters in Chancery, appointed by this man, did exactly what was to be expected from their patron, and the means by which they had attained his favour. They embezzled the property of the suitors placed without any guarantee or security in their hands, out of which they began by taking the bribe which they had paid to the Chancellor or his wife (for Lady Macclesfield took an active part in these negociations) for their appointments. One of them, who was ruined by the South Sea speculations, absconded with all the money in his office. The Chancellor, as usual, sold his place—the successor followed in the same track; at length the outcries of the plundered suitors could be no longer stifled. Lord Macclesfield fell like his illustrious predecessor. He was convicted by an unanimous vote, on evidence as irresistible as that which brought home still fouler and more wholesale iniquity to Lord Bacon, condemned to pay a fine of thirty thousand pounds, and to be imprisoned in the Tower till it was paid.<sup>1</sup>

Lord Macclesfield was a great favourite with George the First. When the scandalous quarrel between that monarch and his son broke out, he, as Lord Chief Justice, pronounced himself, and persuaded

<sup>1</sup> The Lords divided, 42 to 42, on the question “Whether the said Earl shall be for ever incapable of any office, place, or employment, in the state or the commonwealth.” So it passed in the negative, to the great scandal of English justice.

others to pronounce, a most iniquitous decision, violating all precedent,<sup>1</sup> and the plainest principles of natural right, by which the children of the Prince of Wales were declared to be under the control, not of the father, but of the grandfather. This act of judicial subserviency was, it must be admitted, eclipsed by the extraordinary baseness of the legislature in the reign of George the Third, when the Royal Marriage Act,<sup>2</sup>—which has been the cause of so much immorality and unhappiness, has carried pollution to so many English hearths, and put in peril those whom it was intended to exalt, and which is still allowed to disgrace the Statute Book of those whom Milton described as

“An old and haughty nation, proud in arms”—

was passed to gratify the senseless pride of that unconstitutional monarch. On this Act, the causes which led to it, and the admirable protest it drew forth, I shall have occasion to dwell, in the sequel of this history.

<sup>1</sup> “State Trials,” vol. xv. p. 7195. Price and Eyre, then the Prince of Wales's chancellor, dissented. The arguments of the ten are sad stuff, and the case is among the many proofs that the law making judges irremovable has not made them independent. They said, “We are humbly of opinion that the education and care of the persons of your Majesty's grandchildren now in England, of Prince Frederick, eldest son of his Royal Highness the Prince of Wales, . . . the ordering the place of their abode, and appointing their governors and their governesses, and other instructors, attendants, and servants, and the care and approbation of their marriages when grown up, do belong of right to your Majesty, as king of this realm.”

<sup>2</sup> 12 George III., c. 11. 1772.

This was not, however, the only remarkable illustration of the character of our jurisprudence, and of the class of understanding which belonged to those whom the English selected for its interpretation: the abortive attempt to improve the law of Habeas Corpus, the corner-stone of our liberties, in the year 1758,<sup>1</sup> is a memorable example of the peculiarity of the views of our statesmen and magistrates on such questions.

The law of Habeas Corpus, or rather the principle on which the law is founded, is emphatically the boast of English jurisprudence. It distinguishes an English citizen not from the slaves only, but from the freemen of other countries. It is established in Magna Charta; it had been insisted upon in different ages, declared by strong and unanimous resolutions of both Houses of Parliament, and at length, after repeated evasions and subterfuges on the part of the judges, was incorporated with the written statutes, by the 31st of Charles the Second—an Act, be it remarked, not due to any lawyer, and placed, as was hoped, beyond the reach even of judicial pettifoggery and prevarication.

The principle was this, that every Englishman imprisoned by any authority whatsoever, had a

<sup>1</sup> It was on this occasion that Lord Temple said, with much spirit, "that he would not take the law from the judges as to the main principles of it, any more than he would ask the bishops about the great outlines of his religion."—*Parl. Hist.*, vol. xv. p. 893.

right to obtain a writ of Habeas Corpus, in order to procure his speedy trial, or his liberty by due course of law. The words of the statute are imperious. The punishments it inflicts on those who should frustrate its object are sharp and peremptory. It seems scarcely possible that a remedy so clear and so effectual, of such hourly service, and so easily understood, should have been rendered nugatory by chicane, pedantry, and fraud, or any other cause than direct violence and actual servitude. Such, however, proved to be the case, notwithstanding the manifest intention of the legislature, notwithstanding words as plain as can be used, notwithstanding the reiterated and undisputed declarations of Parliament. The efficacy of the remedy was made to depend on that compared with which the wave of the sea is firm, and a house built on sand permanent—the opinion of the judges—and in many cases was altogether taken away. At length, in the year 1751, a man of rank had occasion to apply for it;<sup>1</sup> he had been seized by a press-gang, and was confined in a prison. His friends applied for a Habeas Corpus. The proceedings which took place in consequence are thoroughly characteristic of English judges, English law, and English legis-

<sup>1</sup> So in "Tom Jones," Lord Fellamar endeavours to get rid of his rival by employing a lieutenant to press him. "His lordship, who was strictly a man of honour, and would by no means have been guilty of an action which the world in general would have condemned," is much shocked when he finds out that Jones is a gentleman.



lation. In the first place, the grossness of the outrage was the reason, alleged by the judges of a civilised country, why it was without a remedy. It was gravely stated from the bench, in this practical country, that the Habeas Corpus could not be granted, because the man applying for it was not only innocent, but not even accused of any crime. The preamble of the Habeas Corpus Act related only to real or pretended criminals.

In the second place, the difficulty, according to the true, slovenly, empirical English system, was got rid of by the sacrifice of principle. The gentleman was released by order of the Secretary at War. Thus, the liberty of the subject, where the sufferer was a person of some consequence, was granted as a matter not of right, but of favour, and by an office of the Crown—the precedent of course remaining.

In the third place, though the alarm excited by this state of things led to an attempt by a patriotic lawyer to alter it, and a bill was brought in to give more sure and speedy relief to the subject, which, in spite of the opposition of the lawyers, was carried through the House of Commons, the bill was flung out of the House of Lords in consequence of the violent and determined opposition of the peers who belonged to the profession of the law—especially of Lord Hardwicke, who, to his indelible disgrace, took

a prominent and, indeed, an almost furious part on this occasion.<sup>1</sup>

In the fourth place, several questions had been put to the judges, not on any remote or abstruse topics, but such as a labourer from the plough in a free country ought to have been able at once to answer, on a plain fundamental principle of the constitution, lying at the root of all personal dignity and independence. They gave answers in which they directly contradicted each other as to law and practice. Some declaring, in the genuine spirit of those who kept Elliott in the Tower and burnt Mary Gaunt alive, that the judges were absolutely bound by the return made to the writ, even if it should be notoriously known to them and all the rest of mankind that the return to the writ was

<sup>1</sup> "Parl. Hist.," vol. xv. p. 895. Lord Chesterfield, sending his proxy to Lord Stanhope, says :—"If I am not much mistaken, we agree entirely in opinion for the Habeas Corpus Bill now depending in the House of Lords; and I am confirmed in that opinion by a conversation I have lately had with a very able opposer of the bill, in which I reduced him to this one argument, that the bill was unnecessary. If only unnecessary, why not pass it *ex abundante*, to satisfy people's minds upon a subject of that importance? But leave it in the breasts of the judges, and they will do what is right. I am by no means sure of that, and my doubts upon that head are warranted by the State Trials, in which there is hardly an instance of any person prosecuted by the Crown whom the judges have not very partially tried, and, if they could bring it about with the jury, condemned, right or wrong. We have had ship-money judges, dispensing judges, but I never read of any patriot judges, except in the Old Testament, and those perhaps were only so because at that time there was no king in Israel. There is certainly some prerogative trick in this conspiracy of the lawyers to throw out this bill; for as no good reason is given for it, it may fairly be presumed that the true one is a bad one."

false, and the prisoner improperly deprived of his freedom. Others, in whom the study of the law, and the influence of attorneys had not quenched every spark of reason and all idea of justice, denying (in more or less guarded language) a proposition so shocking to plain reason, and so entirely inconsistent with the rights of an English citizen.

Thus, instead of a plain, manly declaration in favour of liberty, the judges delivered opinions full of jargon, contradiction, and absurdity. Lastly, in this state of things the legislature acquiesced, Lord Hardwicke promising that the judges should prepare a bill in the following year to remedy the evil complained of—a promise which, of course, as keeping it would have added nothing to Lord Hardwicke's income, or Lord Mansfield's authority, but would merely have protected the rights of the lower class from invasion, was never fulfilled; nor was it till the year 1816<sup>1</sup> that a measure so loudly called for by every motive of reason and humanity was passed without any reference to the judges, who were thus probably saved from the temptation which our history shows had been frequently to them irresistible, of opposing a manifest improvement, and of darkening and weakening the rights which it was their especial and most sacred function to fortify and to explain.

<sup>1</sup> "Parl. Hist.," vol. xxxii. p. 542. Serjeant Onslow proposed the measure.

If we look to the State Trials during the reign of the first two princes of the House of Brunswick, though we meet with nothing that even approaches to the wickedness of the judges in Charles the Second's time, we find many absurdities to blush for, and much brutality to deplore. The same narrowness, the same ignorance of all that men of education ought to know, the same miserable quibbling which was woven by the Normans into our jurisprudence, continue; and we see the judges gradually returning to that coarseness of language and demeanour of which our history, then and since, presents but too many and too conspicuous examples. The Acts of Parliament are absurd beyond belief. One law regulates the size of button-holes; another the packing of butter in New Malton, Yorkshire.<sup>1</sup> To enumerate these instances of prodigious folly would be endless. Among trials the most cruel is that of John Matthews, a boy of nineteen, a printer, under a statute of Anne,<sup>2</sup> making the printing of certain opinions in favour of the Pretender's right to succeed to the English crown high treason. The work was seized in his house before publication. He was convicted on rather slender evidence (legally speaking) and executed.<sup>3</sup> No effort seems to have

<sup>1</sup> 17 George II., c. viii. A law passed 1862 to regulate Irish dogs.

<sup>2</sup> 6th.

<sup>3</sup> "State Trials," vol. xv. p. 139. The proceedings were disgraced by those arguments so common in our courts, and so peculiar to those arising out of



been made to save him. Another proof of the compass of the judicial mind during this period was exhibited in 1731, when a bill was brought in by Sir George Savile, "That all proceedings in courts of justice shall be in the English language"—almost four hundred years after the Act of 36th Edward the Third, providing "that all pleadings and judgments in the Courts of Westminster should for the future be in English: an Act which the judges, as it would have interfered with their power and their profit, contrived to render nugatory, as they did the Act of Entails, passed in Edward the First's time, and the Act against uses, passed in Henry the Eighth's. The measure encountered the most violent opposition. It was said that it would entirely destroy the value of our old records; that the method of distributing justice must be entirely altered; that it would occasion frauds and delay of justice, prevent the recovery of debts, and increase the number of attorneys. To all which Lord Raymond, the Chief Justice, added, that if the bill passed, the law must be translated into Welsh. Notwithstanding these weighty arguments, the bill was carried, and one detestable absurdity ceased to disfigure the most solemn proceedings of English courts of justice. Still the inveterate disposition of

the barbarous Latin of the indictment, whether "impressit" could mean printing.

the English to submit to authority formally exerted—to put the office in the place of the man,<sup>1</sup> to suppose that the mantle makes the prophet, to consider that everything done by a bishop must be holy, and everything done by a judge righteous—as it produced a most mischievous effect on all public functionaries, had an especially malignant influence on the bench of justice, and in the administration of the law. The salutary effect of the Revolution, and of the examples of Somers and Holt on the conduct of the judges began to wear away; and as proceedings in our courts of justice, civil and criminal, were enveloped in a mist of chicane which no person without a legal education could expect to penetrate, judges might commit great crimes under the shelter of legal forms, and without the possibility of detection; sometimes, however, they were transported, by a natural brutality, and the long indulgence of uncontrolled caprice, into acts and language on which everybody could determine. One man, named Page,<sup>2</sup> acquired even in that day an infamous pre-eminence, and was, as far as opportunity allowed him, the rival of Scroggs and Jeffreys. Moreover, he was detected in corrupt proceedings with regard to the election of Members of Parliament, at Banbury. But his

<sup>1</sup> “And let the devil  
Be sometimes honoured for his burning throne.”

<sup>2</sup> “Slander and daggers dread from Delia’s rage,  
Hard words and hanging if your judge be Page.”

judicial wickedness, of which an account has been transmitted to us by an indignant moralist,<sup>1</sup> in a work that will last as long as our language—though dwelt upon by Fielding and branded by Pope—was unnoticed by the House of Commons. The lives and fortunes of many Englishmen continued, till his death or his resignation, to be at the disposal of this illiterate ruffian,—indeed, he was raised from the Exchequer to the Common Pleas; and from the Revolution to the present hour, no address has been presented against any judge; from which the inference is obvious, either that during so long a period human nature has altered, or that the blind habit of acquiescing in the acts, however substantially unwarrantable, that emanate from persons dressed in a certain way, and invested with certain titles, has turned the responsibility of the judges into a dead letter. The reader will judge which of the two solutions is the real one. The judges had by this time arrogated to themselves a power in violation of the law, completely subversive of the liberty of the

<sup>1</sup> Johnson, "Life of Savage." "Mr. Page, then on the bench, treated him with his usual insolence and severity, and when he had summed up the evidence, endeavoured to exasperate the jury with this eloquent harangue:— 'Gentlemen of the jury, you are to consider that Mr. Savage is a very great man—a much greater man than you or I, gentlemen of the jury; that he wears fine clothes—much finer than you or I, gentlemen of the jury; that he has abundance of money in his pocket—much more money than you or I, gentlemen of the jury. But, gentlemen of the jury, is it not a very hard case that Mr. Savage should therefore kill you or me, gentlemen of the jury?'" The judge ordered Savage to be taken from the bar by force.

press, a power which, where the accused person was helpless, they exercised with little commiseration. Had a writer without influence taken a third part of Pope's license with the fame of high and low, of ministers, nobles, of ladies of rank, and private men, he would have been pilloried, fined, and consigned to a noisome dungeon, to the tender mercies of Huggins, Acton, and Bainbridge.

Shebbeare and Defoe were condemned to the pillory for writings far less scurrilous than those which Pope, the eulogist of Lord Mansfield and Swift, the friend of the first minister, had written with perfect impunity. Franklin, the printer of the "Craftsman," was taken up,<sup>1</sup> Horne Tooke might have been condemned to the same punishment.

I now return to Walpole's administration. Soon after his second accession to power a Jacobite conspiracy had been discovered, which, if allowed to take effect, would have been as formidable to the reigning dynasty as any scheme it had yet been called upon to resist. The discontent and distress occasioned by the South Sea frauds was an opportunity too favourable for the chiefs of the Jacobite party to overlook. It had provided in great abundance the materials for a civil war; a plan was laid to barricade the streets of London, to surprise the

<sup>1</sup> "I am glad," said Johnson, "they did not put the dog in the pillory; he had too much literature for that."



Tower and the Bank, to arrest the king and his family, and to proclaim the Pretender. The Duke of Orleans gave notice of it to the English government.

Among the Jacobite malcontents in England, the most eminent in point of ability, and the most enterprising, was Francis Atterbury, Bishop of Rochester. Had he been a layman his moral character might have been considered as on a level with that of his associates ; but he was an unbelieving priest, and consequently a hypocrite—of all characters, except those tainted with cruelty, the most odious. His ungovernable and overbearing temper had involved him in acrimonious conflicts with most of those whom he had been entrusted to govern or required to obey. To the most exquisite taste, such as the proper study of classical writers alone could give, and which has now consequently disappeared, he joined vigorous sense, inflexible resolution, a noble contempt of money, very unusual in his profession, and a disregard of the higher morality, unhappily too common among its members. If principle had been any motive for his conduct, the study of Lord Clarendon's noble history might have guarded a man of his acuteness from the political opinions that early prepossession perhaps led him to adopt, and ambition afterwards to maintain. For the contemptible character of the princes of the House of Stuart discloses itself through

all the veils and charms of language with which Clarendon endeavours to conceal it ; and the events which followed the restoration of Charles the Second, the ingratitude with which he repaid the generosity of a confiding people—who, as the penalty of their egregious folly in restoring him without one single guarantee to his throne, were obliged to drain to the very dregs the bitter cup of national disgrace, and to exchange the glory that Cromwell had won for them for contempt and insignificance—would have taught a man far less gifted than Atterbury that the Stuarts were incorrigible, and degraded even to the level of continental sovereigns.

Towards this dangerous priest Walpole acted with uncommon moderation and forbearance. The evidence of his treason was more than sufficient to convince any reasonable person of his guilt—it has since been proved, not only by his own conduct, but by letters under his own hand. To a man habitually repeating a creed of which he did not believe a syllable, solemn asseverations of innocence were no more than a merely formal ceremony.<sup>1</sup> The plot was discovered by means of the French Regent, and Walpole, with great art, put these words into the

<sup>1</sup> In 1717 he wrote to the Pretender, "My daily prayer is that you may have success. May I live to see that day, and live no longer than I do what is in my power to forward it." At this time he had repeatedly sworn allegiance to George the First, whom he had assisted to crown, and had abjured the Pretender in words expressly excluding all equivocation, and on the true faith of a Christian.

king's account of it to Parliament:—"I should the less wonder at it had I, since my accession to the throne, in any one instance invaded the liberty or property of my subjects." Atterbury was deprived of his honours and his country, but not of his private fortune, and ministers connived at an extraordinary method that was adopted for enabling him to receive the profits due at the time of his trial from his office as Dean of Westminster. But if Walpole got rid of this enemy, another and a far more formidable one was added at the same time and by his own consent to the list of his assailants. The Act of attainder against Bolingbroke was partially repealed, and he was permitted to return to England. He and Atterbury met at Calais—the last stage of one on his way home, the first step of the other on his way to banishment. Bolingbroke told Atterbury what had happened—"Then," said Atterbury keenly, "we are exchanged." Bolingbroke, by an enormous bribe to a mistress of George the First,<sup>1</sup> had obtained a partial pardon. In spite of the earnest remonstrances of his most sincere adherents, and in an evil hour, Walpole had yielded to the solicitations of the king,<sup>2</sup> and had

<sup>1</sup> "Either the present Viscount Chetwind, or his brother William, conveyed eleven thousand pounds from St. John's lady to Lady Walsingham, the Duchess of Kendal's niece."—*Walpole's Statement*, COXE, vol. ii. p. 345. 4to.

<sup>2</sup> "Lord Bolingbroke," says Lady Mary Wortley, "in the drawing-room was the exact similitude of Satan when asking leave to torment an honest man."—LADY MARY WORTLEY, vol. iii. p. 285.

consented to support the act of grace which enabled the most brilliant of his enemies, and one of the most eloquent men that ever was born to speak the English tongue, to set his foot once more on his native soil. Though tongue-tied, his pen was free, and, less grateful for what had been granted than indignant for what had been withheld from him, Bolingbroke for more than twenty years assailed Walpole with all the vehement eloquence that genius, inspired by hatred, could supply. It is said, but the evidence does not appear to me conclusive, that the death of George the First prevented Bolingbroke's return to power. Bolingbroke was aided by Pulteney, whom Walpole had alienated by the avarice of power, which led him, sagacious as he was, into such frequent and substantial errors. Pulteney was a great writer and a great speaker in the House of Commons. His wit was brilliant and easy, and his taste, refined by studies which Walpole had never cultivated, saved him from those violations of decorum by which his rival wantonly aggravated his difficulties and embarrassments. But his great qualities were sullied by the most sordid avarice, and his domestic relations did not command respect.<sup>1</sup> An opposition led by Bolingbroke in the Lords and Pulteney in the Commons would have obtained an

<sup>1</sup> "And Pulteney trucked the fairest fame  
For a right honourable name  
To call his vixen by."



earlier triumph over Walpole's government than that achieved in 1741, which at the very moment when it was won, reduced the victor to insignificance, and gave the conquered minister a revenge as signal as it was complete over an impotent and silenced enemy. A struggle for power between Carteret and Walpole,<sup>1</sup> which turned upon a question whether Sir Luke Schaub, the creature of the first, or Horace, the brother of the second, should be entrusted with the negociation carried on at Paris, ended in the discomfiture of the former. Carteret was deprived of his office of Secretary of State, and sent into honourable exile as Viceroy of Ireland.<sup>2</sup> He was succeeded by the Duke of Newcastle, and Walpole's influence was still more firmly rooted than before. The scheme on which Carteret had relied was this : through Schaub, and at Carteret's suggestion, a scheme was carried on for marrying the daughter of the Countess of Platen to the Count of St. Florentin, son of the Marquis de la Vrilliere, and to obtain a dukedom for

<sup>1</sup> Coxe's "Walpole," vol. ii. p. 269, 4to. ; letter of Townshend to Walpole.— "I would advise him (H. Walpole) not to mention anything to Sir Luke Schaub or the French ministers, of the match that is in agitation for the Countess of Platen's daughter with M. de la Vrilliere, except they take notice of it to him first, in which case he is to express himself strongly for it." See *ibid.*, p. 289.

<sup>2</sup> See Lord Townshend's letter to the Duke of Grafton, April 1, 1724. (Coxe, vol. ii. p. 295.) "The first instance his Majesty has given is by removing Mr. Treby from the War Office, which he has this day disposed of to Mr. Henry Pelham ; and I believe the seals will be taken from Lord Carteret in a day or two to be given to the Duke of Newcastle. In that case the king intends the Chamberlain's place for your Grace, and Ireland for Lord Carteret."

the future husband's family.<sup>1</sup> This project was eagerly embraced by George the First. Carteret followed the king to Hanover. Townshend, recollecting the successful intrigue of Sunderland and Stanhope, accompanied him, and there, by bribing one concubine he baffled the other. The Duchess of Kendal, whom he calls in his letter to Walpole, "the good duchess and our fast friend," succeeded in counteracting the schemes of the Countess of Platen. Such was modern government in the eighteenth century, even in its most perfect form, and such the arts to which all who aspired to rule where courts were powerful were forced to have recourse. An English nobleman of exact honour, a great minister of a free state, was fain to flatter a creature, who in Athens or free Rome would have been relegated to the lowest classes of society, and to gain his point by inflaming her malevolent passions against another woman as corrupt and sordid as herself. On such points, in modern Europe, did the fate of millions hang after eight centuries of comparative civilisation, and twelve hundred, for the Continent at least, of Christianity; and such were the beings who, when their vanity was mortified, or their interest overlooked, laid a vast portion of Europe during this

<sup>1</sup> The intrigue is explained, "Marchmont Papers," vol. i. p. 8. Bolingbroke detected it. Lord Carteret endeavoured to set the Countess Platen against the Duchess of Kendal. Walpole and Townshend adhered to the latter. The revolution gave us a German concubine instead of a French one.

century—the age of Montesquieu and Hume—in blood and ashes. So great was our superiority to the nations and men who have been described to us by Livy, Plutarch, and Thucydides; or, to borrow the phrase of Machiavelli, of those who were called Thomas and Peter, to those who were called Cassius and Scipio!

This period exhibits another strong proof of the totally different tone of feeling engendered by ancient and modern education. In 1724 Walpole made a successful appeal to the plebeian part of our nature, by reviving the Order of the Bath.<sup>1</sup> Thucydides or Scipio, nay, Cleon or Clodius, would not have thought it possible that the privilege of wearing a riband of a particular colour<sup>2</sup>—conferred, not by a grateful senate, or a rescued nation, but by a minister, as the reward for indiscriminate support in the House of Commons, or by a harlot in return for a bribe, or indicating the favour of a single man, ill-educated, narrow-minded, and remarkably incapable of discerning merit—would be deemed a very considerable one, even by the meanest of their fellow-citizens; and yet experience has shown that for such rattles and playthings educated and well-born

<sup>1</sup> 1725. The whole number created was 38.

<sup>2</sup> The “Craftsman,” describing the Parliament dissolved in 1727, under the name of a monster called Polyglott, “with above 500 mouths, whose chief diet was gold and silver,” says, “his mane and tail are tied up with red ribands, but he was usually led by the nose with a blue one.”—*Craftsman*, vol. ii. p. 70.

men were willing to sacrifice their own integrity, and the interests of the public. These were the habits impressed upon the Europe of the Goths and Germans in its infancy, that have grown stronger and stronger with the weakness of public spirit, that have flourished during its manhood, and that there is every reason to suppose will prevail with still greater vigour during the last stages of its decrepitude and decay.

In the summer of 1715 George the First concluded a treaty with Denmark, by which Bremen and Verden, of which the King of Denmark, without any shadow of right, had plundered Sweden, were sold to the King of England, who in return guaranteed the possession of Sleswick (another robbery) to the Danish crown.<sup>1</sup> This unprincipled action, which none of his ministers ventured to resist, added much to the dangers by which he was beset, and united the north with the south against him. For by these acquisitions George the First made an implacable enemy of the King of Sweden. To dethrone George the First was one of the daring projects of a great minister, Cardinal Alberoni.<sup>2</sup> Meanwhile

<sup>1</sup> "Le Roi George n'avait aucun but en toutes ses actions que la possession de ces deux places, Bremen et Verden, sur les quelles il n'avait aucun droit, que de les avoir achetées à vil prix aux Danois, à qui elles n'appartenaient pas."—VOLTAIRE.

<sup>2</sup> Flassan, "Histoire de la Diplomatie Française," vol. v. p. 11. "La courte campagne de 1719, contre l'Espagne dans laquelle la France n'avait pour but que d'expulser du ministère le Cardinal Alberoni."



Baron von Gortz, the new minister of Charles the Twelfth of Sweden, an able, enterprising man, indefatigable in his exertions to extricate his master from the difficulties by which he was surrounded, had detached Russia from the confederacy against Sweden. An alliance had been concluded on the Island of Aland between Sweden and Russia against England, Denmark, and Poland, and it had been agreed at first to co-operate with Alberoni in the invasion of England on behalf of the Pretender. This scheme was frustrated by the disgrace of Alberoni, unable to resist the combined hostility of France, Austria, and England. Still Gortz persevered.

Russia agreed to furnish an army, and Charles the Twelfth was to invade England at its head. Alberoni had sent a subsidy of a million of French livres to Spaar, the Swedish minister at Paris. The invading army was to consist of 1,200 Swedish soldiers, and what the immediate result of such an invasion, headed by Charles the Twelfth, would have been, the success of the Pretender in 1745 may enable us to conjecture. Gortz was on his way to England when the conspiracy was discovered, by means of letters intercepted between him and Gyllenborg. Gyllenborg was arrested in England, a measure entirely consistent with public law, and Gortz was arrested in Holland, a gross infraction of the rights of an independent sovereign. Both were soon released.

The quadruple alliance,<sup>1</sup> between the Emperor, France, England, and the United Provinces, and the destruction of the Spanish fleet by Byng in the Mediterranean, a measure wholly indefensible,<sup>2</sup> and worthy of such ministers as Sunderland and Stanhope, obliged the King of Spain to dismiss Alberoni, —notwithstanding his intrigues, a really great minister, who by faithfully serving Spain had incurred the displeasure of France and England—and to accede to the terms proposed to him by the four powers.

The assassination of Charles the Twelfth at Frederickshall, delivered George the First and England entirely from the danger which had been provoked by the desire of aggrandising himself in Germany without any regard to the interests of England. These acquisitions became links in the chain by which we were perpetually dragged back into the labyrinth of German war and negociation. The hope of obtaining the investiture of these duchies from the Emperor made George the First, and, through him, the nation he governed, the tools of the House of Austria, in forcing the Duke of Savoy to exchange Sicily for Sardinia by the quad-

<sup>1</sup> 2nd August, 1718. George the First authorised the Duke of Orleans to offer Gibraltar to the King of Spain for an equivalent, if he would join the quadruple alliance.

<sup>2</sup> Walpole, then in opposition, protested against it, because it was contrary to the law of nations, and a breach of solemn treaties.

rupt alliance, thus ultimately enabling the Spanish branch of the House of Bourbon to reannex the Italian dominions to that race, for the brutal tyranny of Austria made submission to its yoke a crime even in the eyes of the least enlightened when there was any prospect of casting it off.

But before the death of George the First other clouds drew over the political horizon of Europe, which cast a shadow over our domestic history. The alliance between Russia, France, and England—called, from the place where it was signed, the Treaty of Hanover<sup>1</sup>—furnished a copious theme for the vehement attacks of opposition. It stipulated that the contracting parties should, if any of them were attacked, supply a certain contingent, in the shape of troops, or ships, or money, to the one assailed. The true object of this treaty, however, was to compel the Emperor to abandon the Ostend Company, and to resist a very formidable scheme, that, if it had taken place would probably have been successful, in favour of the Pretender. It exchanged the alliance of Austria for that of France wisely, as that was the

<sup>1</sup> “The Pulteneys build great hopes upon the difficulties they promise themselves will arise from foreign affairs, and especially the Hanover Treaty. I (Walpole) *had a curiosity to open some of their letters*, and find them full of this language. The two great topics he goes on to say are the Civil List and Hanover; then comes a sneer at ‘righteous Sir Joseph,’ Jekyll, illustrating Pope’s lines—

‘A joke on Jekyll, or some good old Whig,  
Who never changed his principles or wig.’”

—Coxe’s *Walpole*, vol. ii. p. 492. 4to. Ed.

only power from which England had anything to dread. Thirty years' peace, in spite of the folly of kings, and the intrigues of concubines in every court of Europe, was the result of this policy—the object of Bolingbroke's acrimonious and incessant vituperation. Townshend was the chief agent in this treaty, to which, notwithstanding the popular clamour, aggravated of course by the name it bore, it is now well known that George the First, who had a deep respect for the House of Austria, yielded a reluctant assent. England had been in considerable peril. Mr. Pitt termed the Treaty of Hanover “a treaty the tendency of which is discovered in the name—a treaty by which we disunited ourselves from Austria, destroyed the building which we may now perhaps, without success, endeavour to raise again, and weakened the only power which it is our interest to strengthen.”<sup>1</sup> Lord Chesterfield says, “Hanover rode triumphant on the shoulders of England.” Both accusations were unfounded. The treaty preserved Gibraltar, destroyed (what in the notions of the age was a great evil to England) the Ostend Company, and broke up the scheme in favour of the Pretender.

A great debate took place in the House of Commons when this treaty and the Treaty of Vienna, which it was intended to guard against, between the

<sup>1</sup> In later life he disavowed these sentiments.



King of Spain and the Emperor, were laid before it. No stranger, except Lord Marchmont, who had been a plenipotentiary at the League of Cambray, was allowed to be present at the discussion. Mr. Walpole, the brother of Sir Robert Walpole, opened the debate. He entered into a full detail of the history of the different treaties, from the Treaty of Utrecht to the Treaty of Vienna. He enumerated the different treaties George the First had concluded, to preserve the balance of power—that of 1716 with the Emperor, that of 1717 with France and Holland, and the quadruple alliance in 1718, to which the King of Spain had been forced, after the destruction of his fleet in the Mediterranean, by Admiral Byng, to accede. He then mentioned the congress opened at Cambray under the mediation of the Kings of England and of France, to adjust the matters still in dispute between the Emperor and the King of Spain. That congress had been, he said, brought to an abrupt conclusion by intelligence that the Emperor and the King of Spain had concluded a secret treaty at Vienna. The object of that treaty was to establish the Ostend Company, and to secure the inheritance of the imperial dignity for the House of Austria, to recover Minorca and Gibraltar for Spain. It was to give a timely check to these designs that the Treaty of Hanover had been concluded.

This speech gave rise to a long debate, which ended by a majority in favour of ministers, and approving the treaty, of 285 to 107. That the promise certainly made by George the First of restoring Gibraltar, and the loss of their fleet, lay at the hearts of the Spaniards, there can be no question; but a still more galling provocation, the sending back the Infanta, the betrothed of Louis the Fifteenth, to Spain, by the Duke of Bourbon's mistress, Madame de Prie, was the immediate and determining cause of the alliance between Spain and Austria.

The treaties of Hanover and Vienna engaged the attention of Europe. Spain haughtily repudiated the overtures of the Duke of Bourbon, and publicly received the Duke of Wharton as the accredited agent of the Pretender.<sup>1</sup> The Emperor gained over the electors of Treves, Cologne, Bavaria, Mentz, and the Palatine. Russia prepared to co-operate in the invasion of England, which was to be attempted by a simultaneous attack from Russia, Norway, Spain, and Flanders. England exerted herself with equal vigour. Showers of English gold were poured out. A fleet was sent, under Sir Charles Wager, into the Baltic; another, under Sir John

<sup>1</sup> The Jacobite air, "The King shall enjoy his own again," was played at the court of Spain, and the Duke of Sisia openly said he hoped it would be soon a crime to talk of George the First as king of England.

Jennings, to the Mediterranean ; and the result was that the fleets of Denmark and Russia did not leave their ports. Admiral Hosier at the same time was sent to Porto Bello—an expedition which brought dishonour on our arms and councils, but glory to our literature ; for it gave occasion to the most beautiful ballad in the English language. The peremptory demand of the restitution of Gibraltar, and the insolent conduct of Palm,<sup>1</sup> the Austrian minister in London, roused the passions of the people, and drew forth an unanimous address from both Houses of Parliament, declaring that the House would stand by and support his Majesty against all open and secret enemies at home and abroad. Palm was obliged to leave the kingdom,<sup>2</sup> a separate peace was soon made with the Emperor, who abandoned his ally, and the attack of Spain on Gibraltar was defeated. If Austria had fulfilled her engagement, this must have been the signal of an European war. But the moderation of the French and of the English minister averted this calamity.

Fleury, who, on the fall of the Duke of Bourbon, had succeeded to the management of affairs in

<sup>1</sup> "Parl. Hist.," vol. viii. p. 553.

<sup>2</sup> Zinzendorff's letter to Palm was still more offensive than the memorial. The imperial minister at London advised his master to declare that the assertions in the king's speech were false. The Emperor ordered his memorial to the king to be printed and circulated throughout England, thereby "appealing to the people against the king." Sir William Wyndham, Shippen, and Pulteney joined in expressing the highest indignation at the insult to the Crown.

France, lent his cordial support to Walpole's pacific policy; and though Spain still asserted her right to Gibraltar, the preliminaries of peace were signed by her ministers at Vienna, and the peace of Europe, if not formally, was substantially restored. The death of George the First changed for a moment the aspect of affairs; but by the skill of Walpole, who concluded the treaty with the Duke of Brunswick-Wolfenbuttle, peace was completely established by the Treaty of Seville.<sup>1</sup> At this crisis, when Bolingbroke, whether on solid grounds or not, was in full expectation that he should reap the benefit of the court he had continued to pay,<sup>2</sup> and the money he had profusely lavished on the concubine of the king,<sup>3</sup> George the First expired at Osnaburgh, in the same room, says Lord Hervey, in which he was born.<sup>4</sup>

The first act of George the Second's reign deserves to be mentioned, as it illustrates the manners and morality of the sovereigns of that age. It was a capital felony in England, and a crime which would

<sup>1</sup> Between Great Britain, France, and Spain, 1729.

<sup>2</sup> "Though the late king durst not support me openly against his ministers, he would have plotted with me against them; and we should have served him, our country, and ourselves, by demolishing that power that is become tyranny in the paws of the greatest bear and the greatest jackanapes on earth."—*Bolingbroke to Wyndham*, COXE, vol. ii. p. 340. 4to.

<sup>3</sup> Walpole states the case thus:—"As he had the duchess entirely on his side, I need not add what might, or must, have been the consequence. He (Walpole) informed me (Etough) the same day, that the bill in favour of St. John was wholly to be ascribed to the influence of the duchess."—*Ibid.*, p. 345.

<sup>4</sup> His only resemblance to Augustus.



have been punished by death or the galleys in any European nation. This was the destruction of his father's will. Scores of Englishmen were put to death every three months for offences much less serious. The defence of this act is equally characteristic: it was, that George the First had also destroyed *his* father's will, under which George the Second had been entitled to considerable benefits. The exercise of this hereditary right, and the righteousness of such a defence, might perhaps have been questioned by the legatees of George the First. Such, however, were the notions of kings—and by no means of the worst kings—of the eighteenth century, and such the condition to which the doctrine so long and so carefully inculcated by the clergy, without any warrant from Scripture, that kings, like themselves, were a sort of middle being between God and man,<sup>1</sup> had reduced mankind, even after the Revolution of 1688, in the most civilised portion of the globe.

George the Second's reign divides itself into two periods, separated by the fall of Sir Robert Walpole. That minister, by faithfully serving the father, had of course incurred the displeasure of the son, and the first impulse of the new sovereign was to disgrace the only Englishman who had the will and the

<sup>1</sup> It is curious that submission to absolute power, which was the punishment of the Jew, should have been for so many centuries, and in so many countries, the duty of the Christian.

power to keep the crown upon his head. From this act—worthy of the Stuarts—he was saved partly by the singular imbecility of the pompous formalist to whom he would have entrusted his own and England's destiny—but still more effectually by the influence of his wife,<sup>1</sup> a woman of uncommon abilities and penetration, who deserves to fill a conspicuous place in history. As a wife, her conduct was, in spite of great and reiterated provocations, absolutely perfect. As a queen, if she discovered occasionally the weakness of her sex, her errors were venial in themselves, and redeemed by many proofs of candour and good sense. She was loved by all her children, except the Prince of Wales, the born enemy of his father, a being thoroughly worthless; and whatever her faults might be, her name ought to be held in veneration by her posterity, for it is to her they owe the throne of England.

One advantage George the Second had over his father. He could understand and even speak English; neither was he quite a stranger to the principles of our constitution. Of course he hated literature, but the neglect of sovereigns is far more beneficial to the real interest<sup>2</sup> of taste and letters than their patronage, often mischievous, and almost always

<sup>1</sup> Carolina Wilhelmina, daughter of the Margrave of Auspach. Her early life was spent at the court of Berlin, with her aunt Sophia Charlotte, the most accomplished princess of her age.

<sup>2</sup> Alfieri, "Il Principe e le Lettere," lib. i. c. 5. "Il principe per naturale sua

misapplied. Lord Hervey's admirable memoirs show that George the Second had a bad heart, and a tolerable understanding. His cardinal passion was avarice, then came the love of women—not

“Through some certain strainers well refined,”

but in the very coarsest meaning in which it is possible to use the words—and the delight in military parade, so deeply rooted in all German rulers, from the prince of half a dozen boors to the Emperor of Austria. The idea that any pleasure could be derived from contributing to the happiness of others, never seems to have crossed his narrow mind. He was a rigid observer of the most childish etiquette, and a slave to the most mechanical routine. His resentment was easily provoked and hardly pacified. He was brave and veracious, but, like most men fond of petty detail, ignorant of all the higher

indole pende sempre maggiormente per i mediocri, o come piu vicini alla capacità sua e perciò meno offendenti la sua ideale superiorità o come piu ariendevoli al parlare o al tacere a modo suo.” Again, “Come può egli ragionevolmente proteggere e favorire una sì alta cosa di cui per non esserne egli capace, difficilissimamente può farsi egli giudice; e se giudice competente non ne può essere, come mai remuneratore illuminato può farsene? Per giudizio d'altri—e di chi? Di chi gli sta intorno—e chi gli sta intorno?”—Lib. i. c. 3.

“Il serait honteux si la flatterie infectât le petit nombre des gens qui pensent,” says Voltaire. Horace, Virgil, Ovid, Tibullus, Dryden, Bacon, Ariosto, Tasso, all the writers of Louis the Fourteenth's days, except Fénelon and La Fontaine, and perhaps Corneille, sadly illustrate this truth. “Chi togliesse a Virgilio le lodi di Augusto e dei Cesari, al Ariosto, è al Tasso le Estensi e a tanti altri scrittori le adulazioni tutte o i timidi loro riguardi non accrescerebbe egli di gran fatto la gloria agli autori e al lettore di gran lunga la luce il diletto e l'utilità.”—*Alf. P. e le Lettere*, l. i.

branches of the military art, and as unfit to lead an army in war, as to govern a kingdom in peace.

In public life he was altogether indifferent to the welfare of England, except as it affected his Electorate's or his own. Always purchasing concubines, he was always governed by his wife. In private life he was a gross lover, an unreasonable master, a coarsely unfaithful husband, an unnatural parent, and a selfish man.

The Treaty of Seville<sup>1</sup> (signed by William Stanhope, afterwards Lord Harrington), confirming the peace which the death of George the First had for a moment unsettled, was the last act of Townshend's administration. It was signed on the 9th of November, 1729,<sup>2</sup> and Townshend resigned his office in the May that followed. The cause of his resignation was the superior authority and influence of his brother-in-law, Walpole, who was originally indebted to him for his introduction into public life. After many disputes, and much secret heart-burning, an open

<sup>1</sup> 1729, between England, Spain, and France. It stipulated the introduction of six thousand Spaniards into Tuscany, Parma, and Placentia, to secure for Don Carlos the succession to these Duchies, if the reigning sovereign died without issue male, in spite of any resistance by Austria.—Coxe's *Walpole*, vol. i. p. 303.

George the Second offered to guarantee the Pragmatic sanction at the same time, but in return for several concessions to him as Elector. "The king," says Chesterfield, "thinks the guarantee so great a concession that it entitles him to ask anything or everything."

<sup>2</sup> It was a defensive alliance between England, Spain, and France, and afterwards Holland.



quarrel, almost attended with personal violence, took place between these old friends and near relations. But Lord Townshend, when the struggle was over, acted with a dignity and forbearance of which history presents but few examples; instead of heading a factious opposition to measures which were in the main he believed likely to promote the welfare of his country, and covering his private resentment under the name of public spirit, he withdrew to his country seat, and steadily refused to take any active part in public life, fearful lest he, like Lord Cowper, might be tempted to sacrifice the welfare of the state to the indulgence of a motive merely personal. This last act gives grace and elevation to a career never distinguished by any great display of genius or capacity. On his removal, the task of managing foreign affairs devolved upon Lord Harrington, and, greatly to the disappointment of Pulteney,<sup>1</sup> on the Duke of Newcastle. The first, an honest, illiterate, phlegmatic sensualist, not only without eloquence, but a voluntary mute in the House of Lords; the second, a man whose high rank and large fortune enabled him to gratify a restless love of power, which seems to have been his sole conspicuous

<sup>1</sup> "The other (Pulteney) had been Secretary at War, disgraced, retaken into the administration as cofferer; but failing in his endeavours to be made Secretary of State (in 1724), had set himself at the head of opposition to the court, and meditated nothing but the ruin of Sir Robert Walpole, to whose account he placed the irremissible sin of putting the Duke of Newcastle into that employment he had pretended to."—HERVEY'S *Memoirs*, vol. i. p. 8.

quality. Frivolous to childishness, perfidious to a proverb, destitute of all that bore the faintest approach to capacity as a speaker or a statesman, he became, in spite of the dislike of the sovereign, the scorn of the judicious, and the hatred of those whom he had over and over again betrayed, the leader of the chief section of the Whig oligarchy, and the principal channel through which, for more than a quarter of a century, the highest rewards and honours of the community were distributed. The aristocratical element in our constitution reached its culminating point when the Duke of Newcastle—hated by the king, who truly said that he was not fit to be Chamberlain in the smallest court in Germany, distrusted by his colleagues, and despised by all—retained power for forty-six years, and was prime minister for eight.<sup>1</sup> Experience, however, was soon to teach the English that royal favour was a worse test of merit than the support of an interested or venal aristocracy.

The attempt of Sir Robert Walpole to establish the excise scheme in 1734—a measure, in a financial point of view, undoubtedly beneficial, though liable to very grave objections, so far as the constitution was concerned—very nearly overthrew his govern-

<sup>1</sup> Newcastle was appointed principal Secretary of State on the dismissal of Lord Carteret in 1724. This office he held till 1754; he then became First Lord of the Treasury, which post he held till 1762

ment. He withdrew, before it was too late, from a conflict in which it became clear that the great majority of the people was on one side, and a small majority of their bribed representatives on the other. But though baffled in this conflict, his influence in the House of Commons, and over his master, remained immovable. A long list of dismissals from office of the peers and commoners who had deserted his banner in the conflict, and a remarkable vote of the House of Commons, selecting the Government list upon the ballot for a Committee of the Custom House Frauds, furnished conclusive evidence that the scheme of Bolingbroke was for the present unsuccessful. Marks of eminent favour were given to his adherents. Sir Charles Wager was, by Walpole's direct interference, appointed first Lord of the Admiralty, and Sir Philip Yorke, an attorney's son, a clear-headed accurate lawyer, without genius, who laboured through a long life not quite unsuccessfully to supply the defect of a narrow education, and had passed rapidly through the different stages of the profession, was made Chief Justice of England, and raised to the dignity of a peer. The triumph of Walpole's influence was complete. The debates on the dismissal of Lord Cobham and the Duke of Bolton, and on making officers of the army irremovable at the pleasure of the Crown, and that on the Place Bill, served only to confirm it.



The debate on the repeal of the Septennial Act was attended with a result still more signal and important; for on that occasion Sir W. Wyndham, the friend and pupil of Bolingbroke, and, from birth, fortune, and abilities, perhaps the most conspicuous member of his party, pronounced an elaborate and artful invective against the minister, and the system by which he governed. In his reply Walpole made a powerful and pointed attack on his great enemy Bolingbroke, the concealed author of the measures of opposition. He drew a picture of a man void of faith and honour, who had betrayed every master he had ever served, who owed his life and fortune to the clemency of the monarch against whom he had rebelled, and who returned such ill-deserved mercy by incessant efforts for the overthrow of his dynasty, the slave of impotent malevolence and of mortified ambition. "If," he said, "we can suppose such a person, can there be imagined a greater disgrace to human nature than such a wretch as this." The result of this vigorous harangue was for the moment to slacken the connection between the discontented Whigs and the Tories, and even to oblige Bolingbroke<sup>1</sup> for a time to leave the country. But the fall

<sup>1</sup> Bolingbroke alludes to this with a good deal of resentment:—"Writing and speaking are of use to prepare, to accompany, and to support actions; but they become impertinent when they go alone, and the whole scheme begins, continues, and ends in them. I am hurt, and your lordship will allow that I have good reason to be so, when I hear that the same persons as think my name



of Bolingbroke's long triumphant rival was at hand. The habit of compromise, of management, and avoiding the direct assertion of a principle, which had so often extricated him from difficulties under which a less pliant minister would have sunk, now brought about his ruin. The nation, inflamed by opposition leaders, audacious falsehoods, and the hope of profit, clamoured for a commercial crusade—in other words, for a buccaneering war with Spain. Walpole was betrayed by those whom he had most obliged and most trusted—by the members of his own administration. John Duke of Argyle,<sup>1</sup> sagacious to foresee what was impending, abandoned the minister, and lent the opposition in the Lords whatever force was to be derived from reckless abuse and vehement assertion. Lord Isla,<sup>2</sup> though Walpole would not sanction a direct charge of treachery against him, there can be little doubt betrayed his patron, in the Scotch returns which had been entrusted to his management. The Duke of Newcastle and Lord

and, much more, my presence in Britain, whenever I am there, does them mischief, should express any expectation of the kind you mention from me. They treat me a little too lightly.”—*Marchmont Papers*, vol. ii. p. 179. Again he says, “He (Pulteney) thought my very name and presence in England did hurt.”—Coxe's *Walpole*, vol. iii. p. 523, 4to. 1739.

<sup>1</sup> “Fifteen Scotch members voted in the minority. Four are placed to the Duke of Argyle's account.”—*Account of the Debate on the Convention*, 1739; Coxe's *Walpole*, vol. iii. p. 518, 4to.

“The Duke of Argyle got the Dukes Campbell from us.”—*Ibid.*, p. 250.

<sup>2</sup> “He was a shameless prostitute to power, and extremely avaricious.”—GLOVER's *Memoirs*, p. 11.

Hardwicke, whose intrigues had been long suspected by Walpole, plotted together for his overthrow. Lord Hardwicke disgraced himself by leaving the woolsack on which Walpole had placed him, to make a violent speech for the Spanish War. Nevertheless<sup>1</sup> it must have been notorious to him, as it was to all in any way acquainted with the state of affairs, and especially Walpole, who was perfectly conversant with them, that the British merchants trading to the West Indies were for the most part engaged in carrying on an illicit trade,<sup>2</sup> and that although the Spaniards had been occasionally transported into unjustifiable conduct by repeated provocation, the law of nations, and the principles of substantial justice were on their side. Instead, however, of resting his opposition to the war on this broad and solid ground, Walpole had recourse to the topic of expediency, thus encouraging and almost justifying the attacks of his enemies, who profited by the

<sup>1</sup> The ridiculous story of Captain Jenkins has been dwelt upon by Burke. The Spaniards had their Jenkins. The Spanish monarch, in his manifesto, cited an anecdote of an English captain who not obtaining the ransom he demanded from two prisoners of distinction, cut off the nose and ears of one, and obliged him to swallow them. "Estas ridiculas fabulas," says the eloquent historian, "de que se burlaban las gentes sensatas servian grandemente para irsitar las passiones del vulgo de uno y otro pueblo."—*La Fuente*, vol. xix. In no country does the word "vulgo" include so wide a class as in England.

<sup>2</sup> An Act of Parliament, 8 George I., c. 24, bears strong testimony to the piratical habits of the English. It declares that the number of piracies, felonies, and robberies upon the seas is very much increased . . . whereby the trade in *remote parts* will greatly suffer, &c. We may judge how scrupulous such persons were on the coast of South America.

admissions he did not venture to withhold. The death of Queen Caroline, his firm and constant friend, had given full scope to court intrigues. The king was impatient for war, and the Duke of Newcastle, seconded by the Lord Chancellor, eagerly seized upon this opportunity to supplant his leader. The war thus entered upon was as inglorious as it was unjust. Begun in wickedness it ended in disgrace.

At Dettingen indeed, in 1743, the impetuosity of the Duke de Grammont frustrated the plan of Noailles, and gave the English a victory at the very moment when defeat appeared inevitable. But we were compelled to leave our wounded to the mercy of the enemy. It was rather a fortunate escape than a brilliant victory—it had a lustre pale and sickly indeed compared with the glories of Plantagenet. Walpole's prediction, made in the bitterness of his soul, was to the letter realised. He never shared in the public infatuation. In the midst of the tumultuous excitement, when the Prince of Wales—a fit organ of the vulgar—stopped to drink success to the war at Temple Bar, and all the City bells were ringing, Walpole exclaimed, "Ay, they are ringing the bells now, they will be wringing their hands before long."<sup>1</sup> Fleury, the minister of France, driven

<sup>1</sup> When the merchants complained of their losses to Sir Charles Wager, he said, "It is your own war, and you must take it for your pains."

Accordingly we read, A.D. April 21, 1747—"People are so frightened here

by a violent faction out of his orbit, was obliged to take the part of Spain. We had recourse to Austria, the most exacting, burdensome, and unprincipled of all allies. The death of Charles the Sixth made the war more complicated, and placed peace at a greater distance. We were entangled in the labyrinth of European politics. Spain, whom we had reckoned upon as an easy and unresisting prey, was well prepared to meet us. We were baffled by the enemy whom we despised and had provoked. The trifling success at Porto Bello was ludicrously magnified, and an impostor became the idol of the most easily deceived of nations. The miserable expedition to Carthagená, and the boasting despatches of Admiral Vernon, speedily refuted by the event, were worthy of the spirit which had dictated the war, and the principles on which it had been undertaken. In the year 1744 a French fleet, consisting of twenty-three ships of war, entered the Channel. To meet this armament, Sir John Norris was sent with a fleet of twenty-nine sail under his command. The French fleet fled to Brest, and were allowed by Sir John Norris, an old man, to escape unmolested. It is calculated that in the course of this war the Spaniards captured four hundred and

that all insurance upon homeward-bound ships was refused this day on 'Change.'"  
—*Chest. Corr.*, vol. iii. p. 17. Rotterdam.

"Money was never so scarce in the city, nor the stocks so low, even during the Rebellion, as now."—CHESTERFIELD, 1748.



seven English merchant ships. On the other hand the galleon, Nuestra Señora de Cordova, valued at £313,000, was taken by Commodore Anson—the richest prize ever brought into an English harbour; it made an individual opulent, but did not enrich the State, or set right the ledger of its ruined merchants. In 1744 the public were irritated by an indecisive engagement, notwithstanding a great superiority on the English side, with the French and Spanish fleets off Toulon. By the grossest injustice the court-martial acquitted Lestock, the subordinate who did not fight, and declared Admiral Matthews, who had displayed the most daring courage, to be incapable of serving for the future. In May, 1746, Admirals Anson and Warren gained a great victory off Cape Finisterre,<sup>1</sup> for which Anson was made a peer, over a French fleet sailing to America. In October of the same year Admiral Hawke fell in with a fleet of nine line of battle ships, seven of which he captured, after an obstinate resistance: in both these instances the English force was greatly superior. The consequence of the war was, that Walpole, indeed, was driven from power; but that England was invaded, that we and our allies were beaten on every spot where Lord Marlborough had conquered, that France acquired great military renown, and that in

<sup>1</sup> In this action Captain Thomas Grenville, brother of George Grenville, was killed. He died exclaiming, "How much better it is to die thus than to be tried by a court-martial." *Sic fortis Etruria crevit.*

spite of the valour of our soldiers and seamen we were glad to conclude a disastrous war, by a peace<sup>1</sup> containing a clause more ignominious than any to which the countrymen of Blake and Marlborough had been yet obliged to submit, compelling us to give hostages to France, by the deliberate offer of Lord Sandwich,<sup>2</sup> the sole English negociator. Such was the just punishment of yielding on a question of war to the clamour of the populace, and the short-sighted avarice of tradesmen—the very evil which the aristocratical element in our constitution is intended to guard against. But the English gentry on this occasion were degraded into the vices of mobs and kings. To complete the picture, the terms of the Peace of Aix la Chapelle were drawn with such shameful negligence as to make another war in no long time inevitable. By the Peace of Aix la Chapelle, no provision of any kind was made for the surrender of those claims by Spain, the assertion of which had been the original pretext of the war. The plain and incontestable right to a free navigation (as it was called in 1739) was altogether unnoticed. France astonished all mankind by her

<sup>1</sup> Mr. Pelham's letters are full of prayers for peace. Mr. Legge says, writing to Pitt, "I congratulate you and every reasonable Englishman upon signing the preliminaries. When I saw . . . we were growing ridiculous and contemptible, my noble ardour for peace was greatly heightened."—*Chatham Correspondence*, vol. i. p. 29.

<sup>2</sup> "Le Comte de Sandwich offrit des otages en garantie de la remise du Cap Breton."—FLASSAN, vol. v. p. 419.

sacrifices. She had acquired Tournai, Gaud, Oudenarde, Nieuport, Alt, Brabant, Hainault. After Fontenoy, the allies had been defeated at Roucoux, with the loss of 3,000 men; and after Laufeldt the Comte de Lowenthal took Bergen-op-Zoom. All the Austrian Netherlands were in her possession. The capture of Maestricht<sup>1</sup> banished all notion of prolonging the war from the minds of her enemies. Holland was prostrate before her, and her generals were everywhere victorious; indeed, when the French armies were led by Marshal Saxe, and the English by the Duke of Cumberland, to terminate the war as speedy as possible was the dictate of the plainest reason.<sup>2</sup> Austria had been deprived, by Spain, of Parma and the Sicilies; by Prussia, of Silesia; by the Turks, of Servia and Belgrade. But the main object of the war, so far as France was concerned, was at an end,<sup>3</sup> by the elevation of the husband of Maria Theresa, Francis, Grand Duke of Tuscany, to the throne of the empire, which it had been the aim of French policy, by transferring that dignity to the House of Bavaria, and then

<sup>1</sup> "Sire, la paix est dans Maestricht," said the Marechal de Saxe.

<sup>2</sup> "Great Britain must have peace, my lord. Her ability to carry on this war, as little as it is, is greater than that of France. *But there are other invincible reasons against it.* I repeat, therefore, we must have peace as soon as possible." — *Bolingbroke to Marchmont, Marchmont Correspondence*, vol. ii. p. 318.

"My resignation," says Chesterfield, "made the peace, as it opened peoples' eyes to the danger of the war. The republic [*i.e.* of Holland] is saved by it from utter ruin, and England from bankruptcy." — *Letter*, May 13, 1748.

<sup>3</sup> France had already got Lorraine, 1735.

to that of Saxony, to prevent. England exchanged Cape Breton for Madras. But one dreadful scourge was for the moment averted; for a new and terrible feature marked this war—ominous of unspeakable miseries to Europe. The savage inhabitants of Russia began to mingle with the disputes of civilised man. Thirty thousand barbarians were on their march under Prince Repnin, to join the army of the empress queen. They had already reached Bohemia when the peace sent them back to the dreary regions where nature had wisely placed them, from which they were too soon again to issue, to spread horror and desolation, and to blight all the efforts of civilised humanity.

Long before these events had taken place, the people, irritated by disappointment, and the loss of national glory, imputed all their misfortunes to their rulers. It became impossible for Walpole to retain his power, though a direct motion to remove him was rejected by a considerable majority.<sup>1</sup> His enemies visibly increased in strength. The zeal of his friends abated in the same proportion. He was betrayed by Newcastle and Hardwicke. On the meeting of the new parliament, it soon became evident that he could not command a

<sup>1</sup> Shippen, the Jacobite leader, withdrew, followed by thirty-four of his friends. He had a deep sense of his personal obligation to Walpole, who had probably saved his life. Bolingbroke was furious.—*Marchmont Papers*, vol. ii. p. 246.



majority in the House of Commons—it is characteristic of the morality of the age that the fate of the minister was sealed by a division on the Chippenham Election Petition,<sup>1</sup> which, of course, implies that on such questions the real merits of the case were altogether and systematically set aside. This took place on the 28th of January, and on the 11th of the following February he resigned. No change of policy or system, none of the advantages which had been boasted of in so many harangues as the certain consequence of his overthrow, took place.<sup>2</sup> Triennial parliaments were not restored; placemen and pensioners were not excluded from Parliament; Walpole was not impeached; corruption, far from ceasing, was increased; and in 1744 Mr. Pitt said the little finger of one man (Carteret) had for six months pressed more heavily on the nation than the loins of a ministry which had continued for forty years—a striking and unconscious testimony to the wisdom of Walpole's government and the factious selfishness of his opponents.

The nation saw with disgust and surprise that it

<sup>1</sup> How pure the motives were of those who overthrew Walpole may be judged of from the opening sentence of Glover's "*Memoirs*:"—"Don Carlos (*i.e.* the Prince of Wales) told me it cost £12,000 in corruption, particularly among the Tories, to carry the Westminster and Chippenham elections and other points, which compelled Sir R. Walpole to quit the House of Commons."

<sup>2</sup> Lord Carteret, Lord Gower, Lord Winchelsea, the Duke of Argyle, Mr. Sandys, took office. Mr. Pitt, Lord Chesterfield, Mr. Waller, the Duke of Bedford, and Mr. Lyttelton remained in opposition.—GLOVER'S *Memoirs*.

had been the dupe of a clamour,<sup>1</sup> raised for the most part from sordid motives, by men to whom the public good was utterly indifferent.<sup>2</sup> Corruption remained, but the vigour and sagacity which had marked the administration of Sir R. Walpole were no more.<sup>3</sup> Pulteney was the first victim of his own treachery. On the death of Wilmington,<sup>4</sup> who, for a short time, was nominal minister, the management of affairs devolved on Henry Pelham—Lord Carteret holding the seals of the Foreign Office—an honest but timid and feeble man; he was chosen in preference to Carteret at the special suggestion of Walpole to George the Second. The Rebellion of 1745 soon bore

<sup>1</sup> "Our infamous leaders."—GLOVER's *Memoirs*.

<sup>2</sup> Mr. Sandys and the old Whigs "not only did not propose any of those reforms for which they had long previously contended, but supported those very measures of foreign policy which they had before strenuously condemned, and even opposed the introduction of a place bill into the House of Commons to which they had formally and repeatedly pledged themselves."—COXE's *Memoirs of Pelham*, vol. i. p. 59. 4to.

See the account of the meeting at the Fountain Tavern, Glover's "Memoirs," p. 6:—"The Duke of Argyle was restored to his regiment and command of ordnance. Everything which followed was nonsense, folly, knavery, &c.; every man shifted for himself, and the session concluded with screening Lord Orford from justice, deluding the people with the farce of a secret committee, and a ridiculous place bill, with the further promotion of Lords Cobham, Bathurst, Gower, Limerick Furnese, Harry Vane, and creating Mr. Pulteney Earl of Bath.

<sup>3</sup> How firmly Walpole could resist his master where he thought the interests of the country really at stake, may be judged of by his expression, "There were two men wanted the command of the army—the king and the Duke of Argyle; but, by God! neither of them should have it."

<sup>4</sup> Walpole uses an expression which strongly shows the insignificance of this minister. Writing to Henry Pelham, and urging him to disappoint Carteret and Lord Bath, he says, "He (*i.e.* Lord Bath) will, if he can, make an arrant Wilmington of you."—COXE's *Pelham*, vol. i. p. 83. 4to.

a striking testimony to the solid merit of Walpole, and to the dangers that he had succeeded in averting, as it did to the miserable condition of our councils and our arms.<sup>1</sup> A handful of undisciplined barbarians spread terror and dismay through the British empire. An entire indifference and apathy to the public interest seems to have succeeded to this degrading scene. No remnant of popularity was left to varnish the barefaced effrontery of avarice and ambition. The nation resented any profession of regard to the public good as an affront to common sense and daily experience, and for this there was but too much reason, as it was after the scandalous defeat at Falkirk, when the country was supposed to be in the very crisis of its fate, when invasion had taken place, and a civil war, probably of some duration, appeared inevitable, that the Whig leaders dictated to George the Second, who had endeavoured to shake off their supremacy and to choose a minister for himself, the terms on which he must be content to govern.

On the king's return from Hanover, Lord Cobham insisted on the Duke of Newcastle's promise to give office to Mr. Pitt. At this time the king

<sup>1</sup> "A rebellion . . . filled the court and kingdom with a consternation which no time can parallel, and no circumstance can justify."—GLOVER'S *Memoirs*, p. 38.

"General Hawley's beastly ignorance and negligence."—*Ibid.*, p. 40.

"A rebellion formidable only in the apprehensions of a pusillanimous and effeminate nation."—*Ibid.*, p. 41.



was angry with his ministers. It was to them, and to their jealousy of Granville, that he imputed the dismissal of eight thousand Hanoverians; nor had the unchecked progress of the Pretender's arms at home reconciled him to their conduct. He knew the aversion of the Pelhams to the unfortunate war in which we were engaged, and which was his darling object, and to which Lord Granville gave a cordial and even passionate support. Lord Granville was supported by Lord Bath,<sup>1</sup> eager to allay the smart of insignificance and universal scorn which was yet tingling in all his veins. These two noblemen advised the king to be true to his own interest, and had pledged themselves to make a government docile to the royal will and zealous for the royal war. On their side the Pelhams determined not to do the work of their enemies, but, before the supplies were voted, to bring matters to an issue. The Duke of Newcastle laid before the king a list of proposed alterations in the subordinate offices of government, intended to make way for the appointment of Pitt as Secretary at War. When the king came to Mr. Pitt's name, he acted as his grandson did half a century afterwards, when the son of Pitt proposed to include the son of Pitt's rival, and his own rival, in

<sup>1</sup> "The king complained to the Earl of Granville, . . . and even to the Earl of Bath, of this ungrateful attempt of the Pelhams to force into his councils and service a person (Pitt) whom he held in the utmost abhorrence."—GLOVER'S *Memoirs*, p. 37.



his government at a crisis far more dangerous : George the Second gave a direct refusal to the arrangement. "I have promised Lord Cobham," said the Duke of Newcastle. "You must break your promise," replied the king. But in those days the prerogative was still confined within proper limits—the opinion or caprice of a single man was not allowed to outweigh the welfare of millions, or the influence of a real aristocracy. George the Third, when half mad, succeeded in excluding for the time from office the most illustrious of his subjects, simply on the ground of his personal aversion ; but George the Second, though Pitt at that time was but in the dawn of his reputation, was obliged to yield to the advice of those who were supported by the House of Commons.<sup>1</sup> He did not yield without a struggle.<sup>2</sup> Lord Bath endeavoured to gain the Cobhams. "Tell Lord Bath he deceived me in 1742, and shall not deceive me in 1745," was Lord Cobham's reply to his overture. Still Granville went on, and actually took office. This was the famous three days' revolution, during which Gran-

<sup>1</sup> Mrs. Waller told Glover she saw George the Second weep when Pitt kissed hands.—*Memoirs*, p. 42.

<sup>2</sup> "The measure of a general resignation was immediately adopted. On the next day, Feb. 10th, 1746, the Duke of Newcastle and Lord Harrington resigned. The king immediately gave the seals to Lord Granville. But the following day Mr. Pelham, Lord Hardwicke, Lord Pembroke, Mr. Legge, Mr. George Grenville, and several others resigned their employments. Neither the king nor Lord Bath was prepared for this stroke."—ALMON'S *Life of Pitt*, vol. i. p. 217.

ville and Pulteney, then the two most unpopular noblemen in the kingdom, undertook the task of forming a government.<sup>1</sup> The result of the struggle was that the king was obliged to give up his favourite minister, to place himself in the hands of the Whig families, and to receive as ministers those who personally were most obnoxious to him—Mr. Pitt, Mr. Legge, and Lord Chesterfield.<sup>2</sup> Mr.

<sup>1</sup> "Hitherto the ministers deemed themselves secure of the king's approbation. . . . A change, however, was effected in the royal mind by the strong remonstrances of the Dutch, the urgent representations of Lord Granville, and at the same time by the importunities of ministers themselves for the appointment of Mr. Pitt as Secretary at War. Indignant at being controlled . . . he declined to reinstate Lord Granville in the office of Secretary of State."—COXE's *Pelham*, p. 288. Lord Marchmont's account, "Marchmont Papers," vol. i. p. 174.

"The Pelhams and their party were now sensible that the die was cast, and a meeting of the party took place at the house of the Lord Chancellor. All their adherents proving faithful, a resolution was taken to convince the king of the weakness and impolicy of his scheme by a general resignation. Lord Harrington relinquished the seals on the 10th, and his example was followed by the Duke of Newcastle on the morrow. Mr. Pelham and the Duke of Bedford, with all the members of the Boards of the Treasury and Admiralty, resigned; and, in conformity with the general resolutions, the whole of the ministry either renounced their employments or expressed their intention to retire."—COXE's *Pelham*, p. 289. The king never forgave Lord Harrington, who owed everything to him.

<sup>2</sup> On the 9th Lord Granville offered homage. See Sir James Gray's letter:—"I gave you last week a hint of the insurrection in the closet. The ministry came to a sudden resolution not to do Lord Granville's business, by carrying the supplies, &c. Lord Granville had both seals, one for himself, the other to give to whom he pleased. Lord Bath was named First Commissioner of the Treasury, &c. Thus far all went swimmingly; they had only forgot one little point—which was to secure a majority in both Houses. . . . Lord Bath went to the king, and told him it would not do. Bounce went all the prospect to shivers, like the vessels in the 'Alchymist.' The king shut himself up in his closet, and refused to admit any more of the people who were pouring in upon him with white staffs, gold keys, commissions. Lord Granville is as jolly as ever, laughs, drinks, owns it was mad, and that he would do it again to-morrow."—

Pitt was made—the king's aversion to admitting him into the closet being for the time insurmountable—Vice-Treasurer<sup>1</sup> of Ireland, and on the death of Wilmington, in the following May, Paymaster of the Forces. Thus was formed what, in the homely language of the time, was termed the “broad bottom administration,” including not only the Cobhams but some of the most eminent Jacobites—Lord Gower<sup>2</sup> especially, the former President of the Pretender's council in England, who returned to the office of Privy Seal, which he had accepted under Wilmington—a sacrifice of principle by which he became to the old Tories an object of unmitigated abhorrence and vituperation.<sup>3</sup> The death of the heir-apparent, Frederick Prince of Wales, in 1751, broke up the opposition. The indecent and scandalous dispute between him and George the Second, and especially his taking the Princess, actually in the pains of

COXE, p. 291. Glover says, Granville advised the king to go and appeal to the House of Commons (“Memoirs,” p. 31). See Lord Chesterfield's letter, Feb. 18, 1746; Duke of Newcastle's letter, COXE, p. 296. Pitt was made joint Vice-Treasurer of Ireland. On the death of Wilmington he was made Paymaster. Feb. 10, 1746. “A crisis at last arrived, when, for a measure of their own, in the midst of the session, when the whole service of the succeeding year was at stake, they insulted the king with resignation on resignation, and by the dint of distress, compelled him to surrender at discretion.” Apology for a late resignation. “This was called a factious measure by some, and was universally condemned by all, when it appeared that the public had no concern in the dispute.”

<sup>1</sup> This post was the first place offered, thirty-seven years afterwards, in 1782, to his son. It was refused by him, then a boy of twenty-two, because he would accept no office out of the cabinet.

<sup>2</sup> He was the Duke of Bedford's brother-in-law.

<sup>3</sup> See Dr. King's “Memoirs.”



labour, at the peril of her life, from his father's palace, and the pecuniary struggle, when the king was obliged to give way in great measure to his demands, are detailed at length in the memoirs of the period—especially in the memoirs of Lord Harvey, which, in spite of the editor, is, both for style and matter the most valuable contribution that has been made in modern times to our domestic history. Dodington has also related with amusing simplicity his own baseness, his desertion of the king, the blasting of his hopes by the death of the prince, and the scorn with which he (Dodington) was treated by all around him. One of the first acts of George the Third was to make this model of all that was corrupt and infamous a peer.

The death of the Prince of Wales gave great power to the king, and enabled him in his turn to dictate to his ministers, who, so long as opposition was formidable, insisted on their own terms. He prevented Lord Harrington—towards whom he cherished a strong and, it must be owned, a not unfounded resentment, on account of his conduct in 1746—from becoming, on his return from Ireland, a member of the cabinet. He gave to Lord Granville the place of President of the Council, to the surprise of those who knew that the Pelhams had solemnly and repeatedly pledged themselves never to belong to any government of which that nobleman was a



member. But whether from the decay of genius, or from that indifference for objects that at an earlier period of life are so dazzling and attractive, which is the common lesson of experience, Lord Granville made no attempt to recover his former influence, and became a mere cipher in the government. At the same time the seals of Secretary of State were given to Lord Holderness; and the Duke of Bedford, irritated by the Duke of Newcastle's attempt to remove Lord Sandwich, and overruled by the cabal then called the Bedford House Party, resigned the seals in disgust; Lord Trentham was dismissed. All the duke's followers joined the opposition; but for the present their defection was insignificant. Lord Sandwich was succeeded in the Admiralty by Lord Anson.

The House of Commons seems, on the death of the Prince, to have dwindled to the dimensions of a vestry,<sup>1</sup> and the discussions of it to topics of parochial magnitude. The largest attendance of members was on a private turnpike bill, supported by the Duke of Bedford,<sup>2</sup> and opposed by the Duke of Newcastle. The Duke of Bedford first took office under Mr. Pelham's administration. The malignant abuse of Junius prepossesses every generous mind in

<sup>1</sup> "I don't foresee," says Mr. Fox, "a debate this session, nor any difficulty to the minister, but that of getting forty every day to make a house."

<sup>2</sup> See Dodington's "Diary."

his favour, and inclines good men to look with indulgence upon his faults as a statesman. But if his character be dispassionately and carefully examined, we shall see that although the charges brought against him by Junius are altogether without a shadow of foundation,—although there can be no doubt that he felt most acutely the cruel loss of his high-minded, amiable, and accomplished son,<sup>1</sup>—and that to impute to one of the proudest noblemen in England, severely exact in pecuniary matters, and the owner of a princely fortune, the acceptance of bribes for concluding the Peace of Paris is the mere effusion of reckless malevolence—he was obstinate, overbearing, fond of money, wrong-headed, illiterate; and that his own faults, and still more the gross vices and corruption of the sycophants who surrounded him, in whose company he delighted, whom he placed in very responsible situations, and by whom he was usually governed,<sup>2</sup> were the cause of great calamities,

<sup>1</sup> Lady Tavistock soon followed her husband to the grave. The account of her grief is most affecting, and forms a contrast indeed to the manners of the day.

<sup>2</sup> “The Duke of Bedford was more under the influence of domestic and social prepossessions than was quite salutary for his public character; for his relations were Tories, and his companions profligates.”—ROCKINGHAM, *Memoirs*, p. 29.

“I wish,” says Lord Holland, “the baron may cure the Duke of Bedford’s natural sight; as to making his Grace see metaphorically, I defy him to do that.”—*Selwyn Correspondence*, vol. ii. p. 209.

“I send you the Duke of Bedford’s despatches. You will see that that headstrong, silly wretch has already given up two or three points in his communication with Choiseul, and that his design was to have signed without any communication here.”—Lord Egremont to Mr. Grenville, *Grenville Papers*, vol. i. p. 475. Again, “What think you of the Duke of Bedford, who lets the king’s

and much dishonour to his country. As a minister his inattention to the business of the all-important office at the head of which he was placed was scandalous; as an ambassador he concluded the Peace of Paris, the most inexcuseably disgraceful (that of Vienna in this century alone excepted) among the unvarying proofs of the wretched incapacity of our diplomatists; as a public man he allowed himself to be the tool of Bute, and when his eyes were opened to the real character of the transaction in which he had been engaged, he avenged himself not only by driving the favourite from the helm—a tardy and inadequate retribution—but by offering insults to the king as gross as the treachery of which he had been the dupe, from which a sense of personal dignity should have obliged a gentleman addressing one who could exact no reparation, to refrain.

It is clear that at this time Pitt was looking to Leicester House; he employed all his influence with Lord Temple to shelter Murray from the charge, as certainly true as it ought to have been insignificant, of having held Jacobitical opinions in

ministers be informed by the French ambassador of the appointment to sign the treaty?"—*Grenville Papers*, vol ii. pp. 29, 31.

"The duke's excellent qualities were always acknowledged by Lord Charlemont, but no wonder, he used to add, that a secretary like Rigby, and a minister like Stone, rendered such qualities of no avail."—HARDY'S *Life of Charlemont*, vol. i. p. 54. Fox said he was "the most ungovernable governed man he ever knew."

early life. In 1754 we find him on Pelham's death proposing to "secularise Murray," and make him Chancellor of the Exchequer.<sup>1</sup> All this proves that he was then in some way connected with the Princess and her court; and when the Princess Dowager, by her intrigues, prevented the marriage of George the Third with the Princess of Brunswick, whom George the Second had selected for his bride, and thus incurred the royal displeasure,—which might have been attended with very serious consequences to Lord Bute and to herself, and have revealed what would ill have borne the light,—Lord Temple and Mr. Pitt, to use the words of the former in one of his letters,<sup>2</sup> "stood in the gap, and saved Leicester House."

On the death of Henry Pelham in 1754 the calm was broken.<sup>3</sup> In a moment all was confusion—Fox pressed his claims on one side,<sup>4</sup> Newcastle on the

<sup>1</sup> "Grenville Papers," vol. i. p. 107.

<sup>2</sup> There is extant a very curious letter from Pitt to Temple, which was, I have no doubt, written at Lord Bute's request:—"I remain under so great uneasiness with regard to the part you shall determine on the Duke of Bedford's question, &c. (*i.e.* on Murray's case). If you should entertain any thought of supporting or going with the question, give me leave, my dear lord, to implore you to lay it aside, as I am deeply persuaded nothing could be so fatal to me and all our views," &c. — *Grenville Correspondence*, vol. i. p. 101. March 19, 1753.

"Mr. Alderman Beckford was one of those who at that time (1753) paid their devoirs at Leicester House."—*Anecdotes and Speeches of the Earl of Chatham*, vol. ii. p. 272.

<sup>3</sup> "Anecdotes and Speeches," vol. i. p. 294.

<sup>4</sup> Fox said, "Pelham's place was his due, and he would give way to nobody."



other. George the Second exclaimed, "Now shall I have no peace;" and the factious interests of the Whig oligarchy broke out anew under the ministry of his brother the Duke of Newcastle, who succeeded at length in obtaining the great object of his ungenerous ambition. He openly grasped at the exclusive possession of all power, but his triumph was not without alloy. There were in the House of Commons at that time three men of great capacity and deep ambition, two of whom were not at all disposed to acquiesce implicitly in the Duke of Newcastle's system of administration, the cardinal principle of which was to possess undivided authority, and to distribute the patronage of the State (to the emoluments of it, it is but just to say that he was nobly indifferent<sup>1</sup>) without a rival: these two were Pitt and Fox, and the third was William Murray, the creator of almost everything that, up to the year 1830, did not shock reason, justice, and humanity in the English private law. The day of Pulteney, Chesterfield, and Granville had gone by. Pulteney's

"Mr. Pelham died at six on Wednesday the 6th. Mr. Fox was at the Marquis of Hartington's before eight."—DODINGTON'S *Diary*, p. 238.

"I never saw the king under such deep concern since the queen's death. His Majesty seemed unresolved, . . . and yet I could plainly discern a latent prepossession in favour of a certain person (Fox) who, within a few hours of Mr. Pelham's death, had made advances to the Duke of Newcastle and myself."—*Lord Hardwicke, Chatham Correspondence*, vol. i. p. 90.

<sup>1</sup> Lord Chesterfield says he was £300,000 poorer when he quitted office than when he first accepted it.

peerage, Chesterfield's increasing infirmity and Granville's intemperance had placed them beyond the sphere of active competition for political power; and at this time the eyes of men were fixed on the three eminent persons I have mentioned as the only men at all qualified, by abilities and eloquence, to break through the trammels of prescriptive routine, and to extort a recognition of their claims to high official rank from the jealous representative of the haughtiest and most exclusive oligarchy that, since the wars of the Roses, had swayed the destinies of England.

The character and talent of these men were widely various, and in many respects formed a complete contrast to each other; of the three, Pitt was the only patriot. Though his grand views were sometimes disfigured by inconsistency, and his noble qualities often clouded by affectation—though by his acceptance of peerages and pensions he put the veneration and gratitude of his countrymen to a severe test—no candid reader of his history can refuse to him the praise of comprehensive views, of great sagacity, of lofty honour, and, above all, of preferring to every other consideration the welfare of his country, of making her honour his honour, and her prosperity the measure of his own. To these rare endowments he united an eloquence which the very words employed to describe that of

Pericles seem intended to portray—an eloquence that flashed, and fulminated, and struck confusion and dismay among all but the most hardened of his antagonists. Imperfect as are the records of it which we possess, they contain some proofs of amazing vehemence and power, and he was untainted by the leprosy of corruption,<sup>1</sup> which then stalked openly through the land, and which, under different disguises, and in different classes, is, at this hour, the blot and scourge of commercial England. Born to command, he was haughty and intractable. Far from tolerating a superior he would not endure an equal; yet, like most men brought up by those who are not familiar with courts and kings,

<sup>1</sup> In 1753 it was proved that £1,453,400 had been in ten years expended in secret service; this was quite independently of places, sinecures, and pensions. As a clue to the way in which it was disposed of, I insert the following letter from the "Grenville Papers," vol. iii. p. 145:—

"LORD SAYE AND SELE to MR. GRENVILLE.

"Nov. 26th, 1763.

"Honoured Sir,—I am very much obliged to you for that freedom of converse you this morning indulged me in, which I prize more than the lucrative advantage I then received. To show the sincerity of my words (pardon, sir, the over-niceness of my disposition), I return enclosed the bill for £300 you favoured me with, as good manners would not permit my refusal of it when tendered by you.

"Your much obliged and most obedient servant,

"SAYE AND SELE.

"As a free horse needs no spur, so I stand in need of no inducement or douceur to lend my small assistance to the king or his friends in the present administration."

Till the correspondence between members of the legislature and railway directors, at the time when a statue was proposed to be erected to one of the latter class, is published, we shall hardly find more flagrant proof of general venality.

and who, therefore, know not how to estimate their false glitter, and meretricious ornament, his courage failed when he was brought face to face with royalty. In the closet he was betrayed more than once into conduct which, but for the mighty deeds by which it was redeemed, would deserve the name of weakness, and even of adulation. He wanted nothing but a fit audience and a republican education to put him on a level with the great men of antiquity. Logical argument he seems never to have aimed at. His taste was fine and classical, nourished by the perusal of Greek eloquence and Roman poetry. His private life was spotless. If he was an actor abroad he wore no trappings at home; if he sought by stateliness and reserve, by studied tones and measured phrases, to impose on the Newcastles, the Graftons, the Dodingtons, and the Rigbys, he was simple, frank, and affectionate in his intercourse with his family: if he sometimes made violent and precipitate assertions, if he took some false steps, and refusing his aid to an honest and high-minded nobleman, became the tool of Newcastle and Grafton, and founded a ministry that was the cause of infinite woes to England, no one born in the precincts of our island should forget that his genius and energy raised her from an abyss of despondency and humiliation to a higher pitch of glory than she has both before or since been permitted to attain.



Very different were the qualities and disposition of Henry Fox, the son of a father who had raised himself in the course of a very long life from the condition of a menial to wealth and consequence. Trained in the school of Walpole and the Pelhams, who appreciated his strong sense and power of reasoning, he made a jest of patriotic sentiments, and was steeped in the worst practices of the age in which he lived. Corruption was the atmosphere in which he breathed, and he carried it even beyond the toleration of that very indulgent age. He engrafted himself on the patrician races of the country by marrying, much against the will of her family, a lady of noble, indeed almost royal, descent, and had contrived to amass a considerable fortune. But this shrewd, hard, unscrupulous, aspiring man, was a tender father, and a generous friend. Experience had not steeled him against that which the greatest of Englishmen and (Homer excepted) of poets has said is sharper than the wind of winter—benefits forgot, and no-more-remembered friendship. The ingratitude of Rigby, one of the most contemptible profligates of the day, stung him to the very quick. Years afterwards he alludes to it in a way which shows how deeply the iron had entered into his soul. Strange inconsistency ! that the man who, when his ambition was concerned, snapped asunder, as the strong man did the green withies, the strongest ties

of all kinds, and reduced numbers without remorse to distress, who had braved without shrinking the hate of thousands, should wince under the stroke which such a hand as Rigby's could inflict, and break out into complaints that one would suppose a girl abandoned by her first lover, or a youth who had never tasted the bitter wave of life, would scarcely condescend to utter.

Inferior in genius to either of these men, William Murray was superior to both in attainments and dexterity. His qualities appear to have been those which belong to most of his countrymen—patience, caution, calmness, laborious diligence, great frugality, little or no imagination, and a sabbathless pursuit of fortune. But to these, thanks to his education at Westminster and Christ Church, he joined a refinement and elegance by which they hardly ever are illustrated. His eloquence was clear, insinuating, persuasive, seldom, if ever, rising to impassioned vehemence, but occasionally, as in the famous judgment when he reversed Wilkes's outlawry, and in two or three speeches in the House of Lords, dignified, luminous, and impressive to an extraordinary degree; it was admirably adapted to an exposition of principle from the bench, or a statement of fact at the bar. His familiarity with Roman models, and especially with the immortal fragments preserved to us in the Pandects, had inspired him with a thorough and

well-merited scorn for the barbarous phraseology, the shocking follies, and the incoherent decisions of the English law. His deep and varied knowledge, his love of literature, his enlarged and generous views on commerce, toleration, and the government of conquered territories, form a striking contrast to the narrowness, the antipathy to all that bore any mark of elevation or refinement, and the ignorance of all but the merest technical routine, that were (as all contemporary evidence assures us), in those days, and continued long afterwards to be, the characteristics of most English judges. A great master of the law of nations, he encountered foreign jurists, and drove them from the field, in a paper that obtained the praise of Montesquieu. Always, except where the Crown was concerned, aiming at substantial justice, he scornfully rebuked, and had gone far to extinguish, the pettifogging tone and miserable quibbles which it was the immediate object of his successors to restore. Here, however, panegyric must end. Where politics interfered, his innate love of arbitrary power, fortified by education and the ties of blood, discovered itself in Parliament as an irresponsible adviser of the Crown, and on the bench of justice; and he was one of the chosen counsellors of the worst period of the reign of George the Third. To him, indeed, there is too much reason to suppose we must in great measure attribute the



unhappy education which George the Third received, and the mischievous doctrines that king imbibed in early life, and which, so long as reason was vouchsafed to him, he continued systematically to act upon. At this moment, Murray steadily refused to leave the beaten track of professional advancement; and though he fought the battle of the government on the Treasury Bench so long as it was for his interest so to do, it was evident that he was not the man to prefer his country to his patron, or his patron to himself.

Newcastle soon brought matters to a crisis. Even during the life of his brother his restless and feverish jealousy of power had been more than once on the point of breaking up the administration.<sup>1</sup> After the death of Mr. Pelham, there being no longer any restraint on this morbid appetite, arising from the fear of scandal, it prevailed without control. He offered Fox the office of Secretary of State and the lead of the House of Commons,<sup>2</sup> but insisted on

<sup>1</sup> See especially the querulous letter, "Chatham Correspondence," vol. i. p. 32; and again, p. 35; again, p. 55, when all private intercourse between the brothers ceased for some time. Coxe tells us that the Duke of Devonshire was so plagued with the jealous disposition of Newcastle, and the desponding temper of Pelham, that he resigned his office.

"Dear brother, I must beg you not to fret yourself so much upon every occasion."—*Pelham to Newcastle*, COXE, vol. i. p. 460.

<sup>2</sup> See the curious letter of Fox, in which he gives an account of this negotiation carried on through Lord Waldegrave. ("Chatham Correspondence," vol. i. p. 125.) "Lord Waldegrave added, what I always thought, that they considered themselves on such ground, and so sure of a majority, that the terror which his



keeping the disposal of the secret service money (as the bribes given to members were called) entirely to himself. "My brother," said he, "told nobody what he did with the secret service money, no more will I." But his brother was himself what Newcastle could not be—the leader of the House of Commons. Fox asked what was to be the scheme of the new elections. "All that," said Newcastle, "is arranged already." This was more than even Fox's love of office could digest,<sup>1</sup> and after consulting with his friends he rejected Newcastle's proposal. "It was impossible," he said, "that he could on such conditions render the king any effectual service, or 'talk to gentlemen,' " that is, order them to vote, "without being ridiculous." To suppose that Pitt would stoop to responsible office under the control of Newcastle would have been absurd. Newcastle then had recourse to Sir Thomas Robinson, a man who had passed his life as a diplomatist in German Courts, unable to speak intelligible English, and altogether unacquainted with the House of Commons. Murray became Attorney-General; Pitt and Fox consented to retain their places, but, as might have been expected, they lost no time in mortifying the

lordship owned would influence him of our (Pitt and Fox's) junction, had no effect, nor would have till it was too late." Compare "Waldegrave's Memoirs," p. 32.

<sup>1</sup> "Mr. Fox, who had sullenly accepted the seals the day before, sullenly refused them yesterday."—CHESTERFIELD, vol. iv. p. 111.

helpless puppet whom the Duke of Newcastle had selected for their leader. Pitt soon took a very effectual means of showing his discontent.

In an election petition a member had treated the charge of corruption with levity, and had moved the House to laughter on the topic of bribery. Pitt came down at once from the gallery, and expressed his regret at hearing a laugh on such a subject. "Did we," said he, "try to diminish our own dignity within the House when such attacks were made on it from without; that it was almost lost, that it wanted support, that it had long been vanishing, that he hoped the Speaker would extend a saving hand to raise it. He only could restore it, yet scarce he." He ended by calling on all to assist, "else they would only sit to register the arbitrary edicts of one too powerful subject." On the same evening he and Fox fell fiercely on Sir Thomas Robinson for some imprudent expression about an election petition. "It was plain," said Walpole, "that Pitt and Fox were impatient of any superior, and as plain, by the complexion and murmurs of the House, that the inclinations of the members favoured neither of them. It was a packed parliament; the majority had been composed solely of boroughs, counties had been left to their own ill humours and to the country gentlemen."

A new negotiation was soon set on foot through

the medium of Lord Waldegrave, and at length Fox was induced to detach himself from Pitt, and to take a seat in the cabinet—a measure he had soon ample occasion to regret, for a war with our old and only rival was at hand, and to the management of affairs in such a crisis the ministry, crumbling to pieces from inherent weakness, was utterly inadequate.

It was evident that a war must soon break out between France and England. France at first looked to the support of Prussia. Frederick, however, was little inclined to risk his fortune on a king like Louis the Fifteenth, and on a mistress like Madame de Pompadour. While the French ministers were endeavouring to overcome his reluctance by the lure of Hanover, Kaunitz proposed to the French court an alliance between France and Austria—the two powers which, for two centuries and a half, had convulsed Europe by their hostility. Proud as she was, Maria Theresa, to gain her ends, wrote with her own hand to Madame de Pompadour, as she wrote to the singer Farinelli at the court of Spain, and proposed to cement the league by marrying her daughter, Marie Antoinette, to the Dauphin.

This was the alliance<sup>1</sup> made between France, Austria, and Russia, which brought Frederick the Great to the verge of destruction, the aim of which

<sup>1</sup> Frederick called it the league “des trois cotillons.”

was the partition of Prussia. Urged by an ancient hatred of Prussia, and a dread of Frederick's encroachments, Sweden hastened to join this league, as did the King of Poland and Saxony, whose daughter had married the Dauphin, at the instigation of Bruhl, of whom Frederick had spoken in terms of well-merited and measureless contempt.

The strong inclination of George the Second, who hated his nephew, the King of Prussia, like an eldest son, was to unite with these confederates; but Pitt and the House of Commons saved England from this apostacy. George was obliged to sacrifice his personal feeling, and to join the King of Prussia. Hesse, Cassel, Brunswick, Gotha, and Lippe embraced the same cause. The rest of the German Empire followed in the wake of Austria.

In the meantime Pitt and the Grenvilles had entered into negociations with Leicester House and the Princess of Wales. A message, in 1755, was sent from the Crown to the House of Commons, asking for a vote of credit, which was granted. Ministers, however, could not prevent the king from going to Hanover, and everything bore the stamp of weakness and vacillation. Fox, to Pitt's great exasperation,<sup>1</sup>

<sup>1</sup> Dodington, in his "Diary" (p. 284), gives an account of the scene at Lord Hillsborough's, between the two rivals. Pitt said the ground was altered—the connection between him and Fox was over; that he would be second to nobody. Fox asked him what would put them on the same ground; to which Pitt replied, "A winter in the cabinet, and a summer's regency." And see Coxe's "Walpole," vol. ii. p. 405.



was in the cabinet, and of the Regency. Ridiculous instructions<sup>1</sup> were given to Boscawen and Hawke; these were superseded by others, ordering Hawke to attack every Frenchman in the Channel without a declaration of war, an odious and piratical proceeding justly reprobated by European opinion. The king meanwhile, anxious for the safety of Hanover, entered into two treaties for subsidising Hesse<sup>2</sup> and the Empress of Russia, which he sent home for ratification.<sup>3</sup> Upon the former of these a sum of money was issued during the summer; it passed the Regency without comment; but Legge, the Chancellor of the Exchequer, mortified by many slights which made his office neither creditable nor agreeable to him, refused to sign the warrants for the issue of the stipulated sums. He connected himself with Pitt, and was introduced by Pitt to Leicester

<sup>1</sup> "The Duke said Hawke might go out, but not attack the enemy unless he thought it worth while."—*Dodington's Diary*, p. 345.

They resemble those issued in Hanover at the breaking out of the war of the French Revolution. The soldiers were ordered "to use their bayonets with moderation."—*Die Franzosen in Deutschland*.

"In the American seas he (Boscawen) may be at liberty to fight; it is possible, indeed, he may not meet them, but for this we are not responsible."—*Waldegrave's Memoirs*, p. 28.

"Hawke to take a turn in the Channel to exercise the fleet, without any instructions whatever."—*Ibid.*, p. 46.

"After mature deliberation, it was resolved that Hawke should sail with hostile orders, but war was not to be declared."—*Ibid.*, p. 48.

<sup>2</sup> "Chesterfield's Letters," vol. iv. p. 180.

<sup>3</sup> Fox said the country was in a sad way, but if it was in a better those who had the direction of it could no more carry on the war than his three children. See *Dodington*, p. 345; *Brown's "Estimate,"* p. 91.

House. Then the Duke of Newcastle in his anguish had recourse to Pitt, but in vain. To save the king's honour Pitt said he would not oppose the Hessian subsidy, but that was all; with regard to the Russian contract he was inflexible. He would not, said he, support a system of subsidies. Then Sir Thomas Robinson was removed to one of those strictly menial offices about the court which modern usage—derived from the Byzantine Empire, from the ostentation of Constantine, and the servility of his bishops—still justifies men of education and birth in accepting even in a free country; and Fox was made Secretary of State, with the full lead of the House of Commons. Relying on his majority within the walls of Parliament, his first act was to dismiss Pitt, Grenville, and Legge, who had attacked the German treaties in the debate on the address, from office. Then came news of the slaughter of General Braddock<sup>1</sup>—a brutal and incompetent favourite of the Duke of Cumberland—with the English troops, whom, in spite of warning, he led into an ambushade; the loss of Minorca,<sup>2</sup> and one of those terrible outbreaks of popular indignation

<sup>1</sup> "On this occasion Washington displayed the most brilliant valour, and escaped unhurt."—BANCROFT, vol. i. p. 216.

<sup>2</sup> "Deplorable state of public affairs."—*Chesterfield's Letters*, vol. iv. p. 187.

"The sons of Britain, like those of Noah, must cover their parent's shame as well as they can, for to retrieve its honour is now too late."—*Ibid.*, vol. iv. p. 234.

which convulse the face of empires.<sup>1</sup> To appease the fury of the nation, Byng—a brave man<sup>2</sup> who lost his presence of mind—was put to death in spite of the express recommendation of the court-martial that his life should be spared—an act of detestable cruelty which added to the disgrace of the country, but did not strengthen the government. Murray fled to the House of Lords,<sup>3</sup> and the first rank among the Common Law judges. Fox, insulted in his office, and unwilling to face the dangers thickening on all

<sup>1</sup> “Minorca is gone, Oswego is gone, the nation is in a ferment; instructions from counties, boroughs, in the style of 1641.”—*Walpole’s Letters*, vol. iii. p. 40.

“Quæ regio in terris nostri non plena doloris,”

says Pitt.—*Grenville Papers*, vol. i. p. 165.

“However the case may be with regard to him (Byng), what can be the excuse for sending a force which, at the utmost, is scarcely equal to the enemy, upon so important and decisive an expedition? Though, in the venality of the hour, it may be deemed sufficient to fling the whole blame on Byng, yet I will venture to say, the other is a question that, in the judgment of every impartial man, now and hereafter, will require a better answer than, I am afraid, can be given to it.”—*George Grenville, Chatham Correspondence*, vol. i. p. 164.

<sup>2</sup> “The ministry, though they could agree in nothing else, seeing the danger, agreed in throwing the danger on Admiral Byng, whose life paid the forfeit of it.”—*Ibid.*, p. 434.

“Whatever faults Byng may have, I believe he was not reckoned backward in point of personal courage.”—*George Grenville to Mr. Pitt, Ibid.*, p. 164.

<sup>3</sup> Potter’s letter to Pitt (“*Chatham Correspondence*,” vol. i. p. 158), sent by a safe hand to his wife, and from her by private channels to Pitt:—“Upon the death of the Chief Justice (Ryder), the intelligence he (Stone, Archbishop of Armagh) sent was, that all the Attorney General’s (Murray) friends thought the office on every account so fit for him that it would be infatuation to decline it. But the Duke of Newcastle was frightened at the thought of what was to become of the House of Commons. If the whole business rested on Lord Duplin and Sir G. Lyttelton, the debates on the court side would be shorter, but there would not be a vote less.”



sides, resigned his post ; and Newcastle,<sup>1</sup> unable to procure assistance, after many desperate attempts, was obliged to imitate his example. A new administration was formed under the Duke of Devonshire, Pitt being Secretary of State, and Lord Temple First Lord of the Admiralty.

For this purpose, Mr. Grenville tells us, Pitt had condescended to open a negociation with Lady Yarmouth,<sup>2</sup> with whom he had an interview. But as he refused to come in if the Duke of Newcastle remained in office, for the moment the negociation was abortive<sup>3</sup>—another proof of the unhappy and degrading effect, even in limited monarchies, of the personal bias of the sovereign ; for on the debate on the address Mr. Pitt had arraigned this concubine with great asperity, and in terms that no one could mistake, for her rapacity, and the traffic she notoriously carried on in offices and honours—charges that no woman fit for the society of honest and high-minded men, even in a private station, could deserve. Again, the violent personal dislike

<sup>1</sup> "Pitt refused to secure Newcastle's retreat."—*Chatham Correspondence*, vol. i. p. 436.

<sup>2</sup> Walpole describes the pages running about and exclaiming, "Mr. Pitt wants Lady Yarmouth." But Glover accounts for this differently. He says Pitt could not rely on Lord Hardwicke for a true account of the interview between himself and that nobleman, who had brought the Duke of Newcastle's offer to him, and that he visited Lady Yarmouth "to obviate the effects of the Chancellor's misrepresentations."—*Memoirs*, p. 83.

<sup>3</sup> "To be well with Lady Yarmouth is the best ground to stand on," writes Pelham to Newcastle.—*Coxe's Pelham*, vol. ii. p. 463.



of the king to Temple and Pitt—fomented by the Duke of Cumberland, who refused to take command of the army abroad if Pitt remained in office at home—prevailed, and these two ministers were dismissed. Negotiations were again entered upon with the Duke of Newcastle. Again Sir Thomas Robinson appeared upon the stage. A government as weak in intellectual qualifications as that which the duke had before formed, was about to take the management of affairs at this most alarming crisis. What the result would have been to this great country we may easily conjecture; but it was spared the trial.<sup>1</sup> Lord Chesterfield,<sup>2</sup> moved by the imminent peril of the nation, interposed, and, in spite of the anger of the king, and the vain attempt of Lord Waldegrave, at his entreaty, to form an administration,<sup>3</sup> at last, after England had been three months without a government, effected the coalition between Pitt and Newcastle—between eloquence and corruption, between the pure gold and the alloy requisite to make it current, between the minister of measures and the minister of numbers.<sup>4</sup>

<sup>1</sup> The glimpse of an axe frightened Newcastle, who had boasted that he would show both Pitt and Fox that the Parliament was his.

<sup>2</sup> "Waldegrave's Memoirs," p. 110.

<sup>3</sup> "Lord Waldegrave is to be prime minister. To-morrow it will rain resignations, as it did in 1746."—*Walpole's Letters*, vol. iii. p. 81.

<sup>4</sup> "Thus ended this attempt to deliver the king from hands he did not like."—*Dodington's Diary*, p. 398. And we may add, thus began an epoch of unrivalled glory:

To trace in detail the glories of the war on which the nation was now embarked, does not fall within my province. If the reign of George the Second had been up to this time a scene of factious selfishness, and often of national humiliation, it ended in a blaze of glory. The influence of the Crown was put aside. The great commoner—backed by an aristocracy still conscious of intrinsic worth, that had not as yet learnt to make the employments of grooms, gamekeepers, watermen, and drill-sergeants the serious and almost the sole objects of their children's education—buoyed up, beyond the reach of court intrigues, by the energies of a free people still conscious of the spirit which animated them when they brought home captive kings—trampled the foes, foreign and domestic, of England into the dust, and smote down prerogative at home, while he revived the glories of Plantagenet abroad. When Mr. Pitt assumed the management of affairs he found England at the lowest ebb of power and reputation.<sup>1</sup> In North America, Lord Loudon, with 12,000 men, thought

<sup>1</sup> See Lord Chesterfield's and Walpole's Letters, *passim*; especially Chesterfield, vol. iv. p. 189:—"I most heartily and frequently applaud myself for having got out of that *galère* which has since been so ridiculously tossed, so essentially damaged, and is now sinking." "I now quietly behold the storm from the shore, and shall only be involved, without particular blame, in the common ruin. The moment, you perceive, if you combine all the circumstances, cannot be very remote; on the contrary, it is so near that Machiavel himself, if he were at the head of our affairs, could not retrieve them."—*Chesterfield Letters*, vol. iv. p. 200. "Whoever is in, or whoever is out, I am sure we are undone. We are no longer a nation; I never yet saw so dreadful a prospect."—*Ibid.*, p. 213.

himself no match for the French with 7,000; and Admiral Holbourne, with nineteen ships of the line, declined attacking the French with eighteen, because they had a greater weight of metal.<sup>1</sup> His first expeditions were unsuccessful. The death—it ought rather to be called the murder—of Admiral Byng,<sup>2</sup> was more a proof of the baseness of ministers, of the unfeeling nature of the sovereign, and of the ferocity of the populace—delighted that for once the blood of a patrician should be shed by the power so prodigal of their own—than of any real increase either of wisdom in our councils or of vigour in our arms. But under the influence of Mr. Pitt, the scene soon changed. He dispelled the effects of that sleepy drench, which, ever since the accession of the House of Brunswick, seemed to have benumbed the faculties of England. He roused us from our lethargy.<sup>3</sup> Victory after victory, conquest after conquest, fol-

<sup>1</sup> "A new sea phrase," says Lord Chesterfield, "Blake never knew."

<sup>2</sup> "Lady Sophia Egerton was sent to the Duchess of Newcastle by the Princess Emily, to beg her to be for the execution of Byng."—WALPOLE, *George II.*, vol. ii. p. 371.

"Legge said we must not expect to draw down blessings on our fleets by human sacrifices."—BROWN'S *Estimate*, p. 91.

<sup>3</sup> "The country gentlemen deserted their hounds and their horses, preferring for once their parliamentary duty, . . . and displayed their banner for Pitt. The Prince of Wales and his court, the powerful city of London, the majority of the clergy, law, and army, together with the whole populace, cordially and full of hope, co-operated in this signal event. The only discontented were the king and both Houses of Parliament; the first grossly retaining his ancient prejudices, the two last dreading a change which might lessen the price of corruption."—*Glover's Memoirs*, p. 98.



lowed each other in rapid succession ; and a reign that had been one of the most inglorious in our annals, changed, as if by magic, into a splendid era of reputation and renown.

Fontenoy, Roucoux, Laufeldt, Hastenbeck, and Closterseven, were obliterated by Quebec and Montreal, by Lagos, Cherbourg, and Quiberon. Wolfe and Hawke, and, on a smaller scale, Amherst, Saunders, and Boscawen, were heroes fit to accomplish the schemes of such a lofty intellect as Mr. Pitt's. Neither the precipice nor the tempest—the one frowning on those who scaled the heights of Abraham, the other sweeping our fleet against the iron-bound coast of Brittany—could protect our enemies. Wolfe, covered with wounds, as the shadow of death thickened round him, and dimmed his bodily sight, only asked over and over again what his attendants saw, and when told that the enemy was totally defeated, exclaimed, “I am satisfied.” Hawke, when the pilot pointed out the danger from which it was barely possible to escape, merely said, “You have done your duty, now lay me alongside the enemy.” Such was the spirit, unknown before to the House of Brunswick, that Pitt looked for ; such is the spirit that every one who carries his views beyond the grosser husk that hides the English genius, will be sure to find.

The nation revelled in the intoxication of success.



Instead of a civil war, which at one time seemed almost approaching, the country was knit together as it had been in the ever-victorious conflict of the Spanish succession. The lightning eloquence of Pitt was seconded by the sword of Frederick the Great—by Prague, Rosbach, and Leuthen.<sup>1</sup> The people who in 1757 were humbled and exasperated, savage from defeat, gloomily brooding over disgrace, and, like the Carthaginians of old, calling for the blood of chiefs and ministers, despised by their enemies, and distrusted by their friends, in 1760 believed themselves and were believed by others to be invincible. Never had such a change been wrought by the genius of a single man. Frequent defeat and constant adversity, difficulties hardly surmounted, and incessant mortification, had prepared the way for the glories of Marlborough—the greatest man, if civil and military genius be considered, that has ever taken an active part in public life among us. He reaped the harvest which the immutable patience and constancy of our great deliverer had sown. Morez, Seneffe, Steinkirk, Landen, many a siege raised and many a battle lost, were the forerunners of Blenheim, Ramilies, and Malplaquet. Not so Chatham : he spoke, and at once, as if by magic, terror was exchanged for confidence, and humiliation for renown. Hated by the king, dreaded by the aristocracy—of which, in despite

<sup>1</sup> 1757. This Napoleon considered Frederick's most glorious victory.

of his great alliance, he was but a recent and not a very congenial member—he was adored by the sound and uncorrupted part of the middle class, then beginning firmly to assert its power. They placed their blood and treasure at his command,<sup>1</sup> knowing that they would be employed as the price of that reputation which, whatever sciolists may think and dunces say, is the best defence of nations. The torrent of popularity was irresistible, and swept along with it all the petty jealousies of caste and party.<sup>2</sup> Murmur, complaint, remonstrance, even inquiry, were at an end; for unlimited confidence in the great minister was another word for unlimited power and unlimited renown.

Such was the condition of England, and such the disposition of the people, such was the inheritance

<sup>1</sup> "The estimates for the expenses of the year 1759 are made up. I have seen them, and what do you think they amount to? No less than £12,300,000; a most incredible sum, and yet already all subscribed. The unanimity of the House of Commons in voting such a sum is not less astonishing. This is Mr. Pitt's doing, and it is marvellous in our eyes."—*Chesterfield's Letters*, Dec. 15, 1758.

"Near £12,000,000 have been granted this year, not only *nemine contradicente*, but *nemine quicquid dicente*."—*Ibid.*, Feb. 27, 1759.

<sup>2</sup> As a specimen of the tone Pitt brought into our councils, I will cite a passage in one of his letters to Temple:—"Three battalions of guards embark for Germany, we hope by Friday or Saturday. I trust your lordship will approve this sudden and somewhat bold measure. The cloud hung heavy—spirits began to droop—dignity, energy, and *éclat* were to be added to our operations, or

' ——— retio sublapsa referri  
Spes Danaûm———'

and I stand responsible for the event."—*Grenville Papers*, vol. i. p. 347.

of glory abroad and content at home, to which George the Third succeeded, and which, governed by his narrow-minded obstinacy, and inveterate desire of arbitrary power, he hastened, like the prodigal who has succeeded to the accumulated wealth of many generations, to squander and fling away.

## CHAPTER III.

## IRELAND.

No country has for so many years been subject to such uniform misgovernment as Ireland has suffered under the dominion of the English. From the time of Henry the Second the history of that fated country is little else but a series of frightful crimes and disgusting corruption. The conquered race never amalgamated—indeed to this hour it has not amalgamated—with that of the conquerors. For many centuries deep detestation on one side, scorn and cruelty on the other, made the barrier between the Celt and the Anglo-Norman every hour wider and more impassable. Persons calling themselves English statesmen ascribe this state of things to an incurable defect in the Irish character, in the same way, and with the same narrow arrogance, that they have pronounced the millions of Hindostan, enjoying a civilisation far more ancient than our own, to be utterly incapable of self-government, and to require the assistance of Highlanders and Saxons



to improve their morals, to collect their revenue, to direct their industry, and to preside over the administration of their law. The reader, however, who studies the tragical pages of Irish story, who observes the system adopted by the English for the government of that country, who sees oppression exhibited in a form more shameless than it has ever displayed among European nations, and legislators in cold blood sanctioning barbarities from which, in the heat of contest, most invaders would recoil, and at which all but the most hardened tyrants would turn pale,—may judge how far this accusation is well founded, and whether such causes could, so long as man was man, have led by possibility to any other result.

Perhaps such an inquiry may lead him to think that the original impediment is to be found in the singular incapacity of the English for the government of other races, and of foreign countries, rather than in the character of a people falling below them in some important and many useful qualities, but equal and it may be superior to them in others, when it has shaken off the slough of a barbarity long carefully fostered by English influence. Whatever else is certain, this is clear, that the defects of the English nature have never been exhibited more conspicuously than in our intercourse with Ireland. On this subject we have unexceptionable evidence

reaching almost from the earliest period of the conquest. We have an interior history; we have the language of the statutes; we have the works of Sir John Davies, an Englishman of uncommon abilities, long resident in Ireland, and of Edmund Spenser. The English settled in Ireland, as is their wont when the standard at which they should aim is once removed from their sight, had rapidly degenerated.

It appears by the preamble to the Statute of Kilkenny, the 40th of Edward the Third, that, "before the coming of Lionel Duke of Clarence they had become mere Irish in language, names, apparel, and all manner of living." They had more than once taken arms against the English. But our statutes from Henry the Second to Henry the Eighth, always maintain a marked distinction between the races, applying to one the expression English rebels, and to the other that of Irish enemies. To preserve this distinction, by this statute "alliance by marriage, nurture of infants, and all gossiped with the Irish" are made high treason. It was the purpose of those who governed Ireland for the crown of England, to draw an impassable line of demarcation between the Irish and the English. It was not possible, says Davies, they should be otherwise than outlaws and enemies to the throne of England. "They could bring no civil actions,

and it was repeatedly adjudged that to take their lives in time of peace was no felony." Instead of communicating their improvements to the Irish, the English borrowed from them the most shocking habits of barbarous life.<sup>1</sup> They adopted the practice of Bonaght, or free quarters, and made it more intolerable; "it was indeed the most heavy oppression ever used in any Christian or heathen nation." "Therefore, *vox oppressorum*, this crying sin did draw down as great or greater plagues upon Ireland than the oppression of the Israelites did draw upon the land of Egypt; for the plagues of Egypt, though grievous, were of short continuance, but the plagues of Ireland lasted four hundred years together." Under the reign of sixteen monarchs, from Henry the Second to the Reformation, Ireland hardly knew a single righteous governor, or a single hour's prosperity. Of course, the antipathy to the oppressor became more rancorous and implacable, and the vices of barbarians more and more inveterate. There every enemy to England was sure of sympathy. There Perkin Warbeck found shelter and support. In Henry the Seventh's reign an Act was passed, called "Poyning's law," intended to rivet the de-

<sup>1</sup> So in India the English borrowed from the native despots the practice of extorting the rent of land (the rent being whatever the collector chose to ask) by torture from the cultivators of the soil, women included (see Report of Madras Commission under Lord Harris); so they connived at the practice of torturing criminals to extort confession.



pendence of Ireland on this country. It provided that no law should be proposed to the Irish Parliament till it had the sanction of the English Privy Council. But this did not abate the animosity of the Irish to their rulers. Henry the Eighth, though he succeeded in bribing some of the great nobles, found the opposition of the lower class and the hierarchy to the blasphemous medley of ludicrous contradictions which he turned into the creed of England, invincible. "The provinces," says Davies, "of Connaught and Ulster, and a good part of Leinster, were not reduced to shire ground, and though Munster was anciently divided into counties, the people were so degenerate, no justice dared execute his commission among them." This monarch flooded the Pale<sup>1</sup> with a vast amount of base money. The embers of discontent smouldered till, in Elizabeth's time, they broke out into an open flame. The tyranny of Lord Gray obliged Elizabeth to recall him; indeed she was told that if he continued in Ireland, nothing would be left for her to rule over but ashes and dead bodies. She endeavoured to plant an English colony in Munster. The necessity of making terms with Tyrone is said to have hastened our great Queen's death. He was in arms when that event happened, and accepted Cecil's conditions. Tyrone was graciously received by

<sup>1</sup> This comprised Dublin, Louth, Meath, and Kildare.



James, who held out great encouragement to the Roman Catholics, and for a time was undisputed king of Ireland. Sir Arthur Chichester, the Deputy, the pupil of Cartwright, and who had imbibed in all their uncompromising rigour the doctrines of the illustrious Puritan, soon inspired general alarm by his intolerance, not only among the native Irish, but all the old families of the Pale. He laid the first stone of the fabric of Protestant ascendancy, on the gate of which the withering line of Dante might have been inscribed, if it had been addressed to those without, instead of to those within.

His inclination was not allowed to rest. Anonymous information of a plot was given. Tyrone and Tyrconnel fled the country. Their estates, and those of several others, comprising almost all the six northern counties of Cavan, Fermanagh, Armagh, Derry, Tyrone, and Donegal, were confiscated. These lands were parcelled out among adventurers from England, and especially from Scotland. The citizens of London acquired a large tract of land in the neighbourhood of Derry, and gave that town the name of Londonderry. The whole territory of Innishowen, and all the other estates of Sir Colin O'Doherty, were granted to Chichester. The despoiled owners were generally considered the victims of a sham plot. From this hour we may date the obliteration of the line between the degenerate

English and native Irish; English by blood, and English by birth, all rallied under the Roman Catholic banner against the new settlers, as a common enemy. A commission of inquiry was issued by James, to examine the titles of all the lands in Leinster, and the neighbouring districts. Enormous confiscations followed. James seized on about 385,000 acres. Claims were revived as old as Henry the Second. Advantage was taken of every technical flaw and informality. Estates were forfeited because they were not registered, though the proprietors had exerted themselves to the utmost to procure their registration, which the government officers had been unable or unwilling to effect. Juries who refused to find a title for the Crown were fined in the Castle Chamber at Dublin. The penal laws against the Catholics were now enforced with savage ferocity. Every kind of oppression marked the close of James's reign, who, Mr. Hume tells us, to be seen in his best light, ought to be viewed as the legislator of Ireland.

Falkland, the first deputy sent by Charles the First, followed, by express instruction from court, a system of lenity towards the Roman Catholics; but he was soon recalled, and after a short interval of government by the Lords Justices, the country was placed, from 1633 to 1641, under the terrible domination of Lord Strafford, one of the worst and

ablest men that ever expiated great crimes on this side the grave. He immediately entered upon a scheme, the object of which was to subvert the title to every estate in Connaught, and to establish in that province an entirely new plantation, in direct breach of his master's promise, made in return for a free gift of £12,000, to abstain from any such scrutiny. Charles took the gift, and the lands which it had been offered to secure. Strafford thus describes his conduct towards a jury which had refused to find a title for the Crown, "We fined the sheriff in £1,000 to his Majesty: the jury were fined £4,000 each; their estates were seized, and themselves imprisoned till the fine was paid." After the recall of this merciless oppressor, the Catholics in Ireland were in continual terror. The Lords Justices stopped the act of grace.

Such was the state of things when the Irish Rebellion broke out; and all the crimes that hatred, innate ferocity, fanaticism, and the thirst of vengeance can inspire an infuriated rabble with the desire to perpetrate, were committed by the insurgents. At that time an enthusiastic love of freedom had been transmitted from the generous patriots of England to those who exercised the chief influence over the determinations of the Irish legislature. The planters of English race, to whom estates in Ireland had been allotted, and who had encountered

all the hazard of settling there, and bidden defiance to the burning hatred of the indigenous population, were not men inclined to submit to the despotism in Church and State, which it was the purpose of Charles and his ghostly counsellors to establish. They must have been men of fierce natures and invincible resolution. A careful inquirer will find strong reason to believe that Charles the First directly fomented the Irish Rebellion,<sup>1</sup> and certain proof that Henrietta Maria made use of his name to sanction it. In 1640 the Commons of Ireland refused the subsidies demanded by government, objected to the method of levying money hitherto employed, and presented a strong remonstrance, complaining of their abuses. Then came the struggle of the Roman Catholics, under the Earl of Antrim, the Earl of Ormonde, and the Earl of Glamorgan, on the side of Charles, and the exterminating victories of Cromwell. The Irish recusants in their turn suffered all the calamities that could be inflicted on a vanquished race in a civil war. The policy of Cromwell was sagacious and cruel. His object was to make Ireland Protestant. For that purpose he had recourse to the only possible means—extirpation; a word Lord Clarendon cites as frequently employed

<sup>1</sup> I do not mean that he sanctioned the frightful crimes that followed it, but that he set the stone rolling which it was beyond his power to stop. "*Celui qui met un frein à la fureur des flots,*" is the only being who can arrest the madness of an excited multitude.



in his day by the English. After the massacres of Tredah and Wexford, which completely cowed the Irish, Cromwell allowed, with his usual deep and sagacious policy, forty thousand of them—who, had they remained in Ireland, must have been implacable enemies to the English name—to quit the kingdom, and transplanted the rest into the province of Connaught, forbidding them to cross the Shannon under pain of death. There they remained till the Restoration.

The conspiracy of Charles the Second and James the Second against the liberties and religion of England, succeeded to a great degree in Ireland. James the Second for a time inverted the relations between the Protestant and the Catholic—between the conquering and the conquered race—till, in 1691, William the Third reduced the Irish to complete submission, and deprived the aboriginal Irish and the first races of the English settlers, of every shadow of political importance, and almost of every civil right. His policy was different from that of Cromwell. The lives of the Irish were to be spared, but nothing that makes life tolerable was to be left to a prostrate and degraded race. Protestant ascendancy was complete, and as the result of it we find that code unparalleled for cold-blooded cruelty, in which all the dictates of antipathy and contempt are embodied and condensed, and by which every

Roman Catholic was treated as a bigoted savage, whom it was doing God service to torment and to destroy. Bad as the code was, the magistrates appointed to enforce it were worse.

For more than a century, whatever the wantonness of malevolent authority could do was done to testify the detestation and scorn of the ruling minority for the great mass of the population. Their cruelties were not the effect of their terror, but of their security. The Catholic population, helpless and prostrate, became every hour more saturated with the vices of the slave; but there is no proof that their masters ever blended the vices<sup>1</sup> that always by a righteous doom cleave to the masters of slaves, with the austere and lofty virtues, the generous pride and sense of personal dignity, that often distinguish a ruling caste. We find in them no traces of the virtues that redeem Spartan austerity, or Roman sternness, or Castilian arrogance. If we were to ransack modern history for examples of the worst features of a thoroughly corrupt and profligately selfish oligarchy, we could hardly find any more striking than those we should bring from the history of the Scottish nobles in the time of Charles and James the Second, or of those members of the

<sup>1</sup> "The gentlemen of Ireland never thought of a radical cure, from overlooking the real cause of the disease, which in fact lay in themselves, and not in the wretches they doomed to the gallows."—*Young's Journal*, vol. ii. pp. 41, 42.

Irish Parliament who, from the Revolution of 1688, for more than a century carried on a scandalous traffic with the rights and feelings of the Irish nation. Indeed, from the final conquest of Ireland by William the Third, Irish history is at end. The country was farmed out to a set of hirelings and assistants,<sup>1</sup> who were to keep it in subjection, and in return, gorging their avarice and vanity, to manage it as they pleased. It was scourged, not governed, by lawless authority.<sup>2</sup> If, taking advantage of the generous instincts of the people, and never-extinguished pride, there now and then arose a man

<sup>1</sup> "The condition of the obligation is this:—Your Excellency or your Grace wants to carry on his Majesty's business smoothly, and to have it to say when you go back that you met with no difficulties. This we have sufficient strength in Parliament to provide for, provided you appear to have the favour and countenance of government; the money, be it what it will, shall be cheerfully voted. As for the public, you shall do what you will, for we care for that no more than we suppose your Excellency or your Grace does; but we repeat it again, our recommendations to places, pensions, &c., must prevail, or we shall not be able to keep our people in order. These are always the expressed, or at least the implied, conditions of these treaties, which either the indolence or the inefficiency of the governors ratify. From that moment these undertakers bury the governor alive."—*Chesterfield's Letters*, vol. iv. p. 278.

<sup>2</sup> "At this time," writes Lord Charlemont, "when we were involved in a war with the Portuguese, a plan was formed to comply with their request by suffering them to raise among the Catholics of Ireland, six regiments, to be officered with Irish gentlemen, &c. The measure was warmly opposed. Ireland could not spare so many of her inhabitants. I could not help wishing it success; the loss of inhabitants was not much, neither did they seem entitled to the benefit of the argument by whose oppression double the number was annually compelled to emigration, and it was but too evident that a principle of the most detestable nature lay hid under this specious reasoning. The Protestant Bashaws of the South and West were both to resign so many of these poor wretches, whom they looked upon and treated as their slaves."—*HARDY'S Life of Charlemont* p. 63, 4to. Ed.

eminent by birth, by talent, or by position, who raised the thrilling cry of right and national regeneration, it was only done that he might increase his demands on the government, and sell himself, and the people who had trusted him, to a higher bidder. So rose Boyle,<sup>1</sup> first Lord Shannon ; so rose Cox, Malone, Carter, and James Casigne Ponsonby ; so rose, during the unexampled infamy of the Union jobbing, a heap of names that history will not condescend to stigmatise. There are four splendid exceptions to this conduct : Molyneux, Swift, Charlemont, and Grattan, but the history of Charlemont and Grattan's efforts does not fall within this volume. The efforts of Molyneux were long unavailing ; and those of Swift were ascribed, I hope and believe unjustly, to the convulsive pangs of baffled hope, and the ever-gnawing worm of an ulcerated ambition.

After the Revolution several laws were passed in England binding on Ireland. The famous pamphlet of Molyneux, published in 1697, claiming legislative independence for Ireland, was condemned by an angry vote of the English House of Commons. During the Tory ministry of Queen Anne the Irish Parliament became unmanageable, and opposed the

<sup>1</sup> " Bell Boyle, when it was proposed to him to be a privy councillor, answered that he had determined never to accept an honour while there was a single guinea left in the treasury."—GERARD HAMILTON, *Chatham Correspondence*, vol. ii. p. 300.



English government.<sup>1</sup> In 1709 a money bill was returned from England with alterations, on which account it was rejected by the Commons. Parliaments in Ireland still endured for the king's life. This continued till the year 1768, when the English government was obliged to give way, and a bill limiting the duration of Parliament to eight years obtained the royal assent. However, Queen Anne's ministers troubled themselves little about Irish agitation. Bolingbroke threatened, and Swift warned, but that was all. The last writer has, as is usual with him, summed up the case in a few words: "We never had leisure to think of that country when we were in power," says he, writing afterwards to Bolingbroke.<sup>2</sup>

<sup>1</sup> Archbishop King (1711), writing to Swift, says, "If we could impeach as you can in England, and bring the malefactors to account, I should be for it with all my endeavour; but to show our ill will, when we can do no more, seems to be no good policy in a dependent people. I reckon every chief governor who is sent here comes with a design to serve first those who sent him, and that our good must be only so far considered as it is subservient to the main design. The only difference between governors, as to us, is, to have first a good-natured man that has some interest in our prosperity, and will not oppress us unnecessarily."—*Swift's Works*, vol. xiv. p. 225. Edin. Ed.

"They tell me, you in Ireland are furious against a peace; and it is a great jest to see people in Ireland furious for or against anything."—*Swift to Sterne*, 1711.

<sup>2</sup> There was a quarrel in 1713 on the Lord Chancellor Phipps; the Commons petitioning for his removal, the Lords supporting him. The Irish Protestants were certainly in great alarm as to the intentions of the Tory cabinet. See Swift's letter to Sterne, vol. xv. p. 85; the Primate's letter to Swift, *ibid.*, p. 28; and Swift's letter to the Archbishop of Dublin, King. "We are determined on the conclusion," he says, "that Ireland must proceed on the same foot as England. . . . Neither do we think it worth our while to be opposed, and encourage our enemies, only for £70,000 a year, to supply which it may not be hard to find other expedients."

The reader of Archbishop Boulter's letters, who in fact governed Ireland from 1724 to 1742, will see the manner in which the government of Ireland was carried on during the reign of George the First and George the Second.<sup>1</sup> There is scarcely an employment, great or small, which the Archbishop does not claim—and in most instances with success—the right to dispose of, as the condition of relieving the ministry from all Irish difficulties. Not satisfied with Protestant ascendancy, he endeavours to establish the domination of race: "I must request your Grace," he writes to Newcastle, "as I have of his lordship (Townshend), that you would both use your interest to have none but Englishmen put into the great places here for the future." He complains bitterly that the Mastership of the Rolls is permitted to be *sold* to a *native*.<sup>2</sup> He murmurs at the promotion of Berkeley to a bishopric. He tells the minister that it is only by means of the bishops in the House of Lords that the king's government can be carried on;<sup>3</sup> and though the bitter enemy of Swift, whom he even desires the government to watch during his visit to England, he corroborates his opinion as to the character of the Irish bench.<sup>4</sup>

<sup>1</sup> "The great point is, who shall govern the government."—*Chesterfield's Letters*, vol. iv. p. 17.

<sup>2</sup> *Ibid.*, p. 19.

<sup>3</sup> *Ibid.*, p. 191.

<sup>4</sup> Swift said that indeed the English ministers took laudable care to select the most spotless and learned men for Irish bishops; but that by some fatality, these

Do not,<sup>1</sup> he writes, send us over a clergyman to be made a bishop, simply because he is too worthless and too profligate to be provided for on your side the Channel. The same sentiment is reiterated over and over again in his correspondence. It is sad to find in these letters, in 1726, the same complaints of emigration and of famine that we have heard in our time. He says many hundreds died for want of food.<sup>2</sup> In another place he says, "We suffer little less than a famine every other year." A little afterwards he talks of a terrible scarcity, next to a famine. In 1728 he writes, "Upwards of four thousand two hundred men, women, and children have been shipped off from hence for the West Indies within these three years; and of these, above three thousand one hundred this last summer. The whole north is in a ferment. The worst is that it affects only Protestants, and reigns chiefly in the north."<sup>3</sup> Others of his letters urge (like those of his successors, in too uniform a strain—Stone, Dorset, Hartington, Bedford, Halifax, Cornwallis) that pensions may be granted to different noblemen to

divines were always robbed and murdered on Hounslow Heath; and the thieves took their papers, disguised themselves in their robes, and came over to Ireland in their stead. See his verses on Rundell's appointment; and on the Archbishop leaving church suddenly to wait on the Duke of Dorset, &c. "I never dare look into a carriage," he says somewhere, "for fear I should be shocked by the sight of a bishop."

<sup>1</sup> This is the substance of several passages.

<sup>2</sup> "Chesterfield's Letters," vol. iv. p. 181.

<sup>3</sup> *Ibid.*, p. 210.

encourage their undeviating support of government : “ My Lord Mount Alexander, and Lord Strangford,<sup>1</sup> have been with me to desire that I would put your Grace in mind of them. . . . The case of the first is, that *he has nothing at all to subsist upon*, and is ready *on all occasions* to attend his Majesty’s service in the House of Lords. The case of the latter is, that there is a pension granted to my lord and his mother, but that, without an additional pension, he is unable to be at the expense, &c.” The next letter is for Lord Cavan, “ who is never wanting in support of government.” The next letter asks for an increase of a Lord Altham’s pension. Thus were the miserable Irish made to support and nourish their oppression. Tyrannical ministers, pensioned nobles, a flagitiously corrupt parliament, a middle class stupefied by oppression, a starving and semi-barbarous peasantry, were the ingredients of the Irish nation at this time. There were three religions, the Roman Catholic, the Presbyterian, and the Anglican, of which the two former were under the ban of the law, being excluded from all civil and military offices by the Test Act; and the last, in numbers the least considerable, was in sole possession of the insulting emoluments of a Church which, of all institutions that ever existed among civilised men, was then, as it now

<sup>1</sup> “ Chesterfield’s Letters,” vol. ii. p. 68.



is, the most absurd, which at that time had not one beneficial or redeeming attribute, but was an unmixed evil, the most galling badge of Irish servitude, and the incessant cause of Irish demoralisation and civil war. The end for which it existed was not to console and to instruct, but to degrade and to oppress, the great mass of Irishmen. Boulter, meanwhile, complains of the increasing Roman Catholic population. He says, "the Roman Catholics multiply instead of diminish," notwithstanding the penal code and the humiliation to which every Roman Catholic was exposed. Other codes have been more sanguinary; none have been more substantially cruel, or more horribly impious. It kept its victims alive, to lacerate every feeling of their nature, till it had brought them to the condition of the beasts that perish. "Does he think I have forgiven him?" said Tiberius, when told that one of his victims petitioned to be put to death. Such was the language of the Irish, and indeed of the English, legislator to the Roman Catholic.

A series of laws were passed, aiming successively at each vulnerable part of our nature, which had hitherto accidentally escaped laceration, and intended to break down, impoverish, and torment those whom it would have been more merciful to exterminate. The law forbade the Roman Catholic to educate his children at home or abroad. It

ordered the priests of his religion (except the contemporaries of the Act, who were to be registered) to be hanged, drawn, and quartered. It excluded him from all offices in the commonwealth, from the army, and the law in all its branches. It disabled him from taking, or purchasing, or holding through a trustee, any interest of any kind in land, except a lease, not exceeding thirty-one years, at a rent not less than two-thirds of the whole value. Any Roman Catholic to whom any title should accrue by descent, devise, or settlement, was obliged to conform within six months, under pain of forfeiture to the next Protestant heir. No Roman Catholic could be guardian to any child, but the Court of Chancery might appoint some person to bring up the ward in the Protestant religion. It carried its abominable cruelty to the domestic hearth and the nuptial bed. By a promise of a large share of his estate, it tempted his son to rebel against him, and his wife to betray her trust, thus rewarding crimes when committed against a Roman Catholic, which the common instincts of our nature teach us to loathe and to abhor. No Papist was allowed to retain arms, and the search might be made at any time. Intermarriages were forbidden. The Roman Catholic priest who married one of his faith to a Protestant, was guilty of a felony. Bishop Burnet has left us an account of the way in which one of the most

persecuting of these Acts was carried. The Jacobites wished to represent William the Third as a favourer of Roman Catholics. For this purpose they brought forward a bill full of atrocious clauses against the Catholics, in hopes the court would oppose it. The court saw the snare, and did not resist the bill. The other side then inserted clauses still more revolting in the bill, hoping the Lords would alter it. The Lords, however, passed it as it stood, and so the bill, stuffed with the insolence and wanton cruelty of two contending factions, became law. "So that," says Speaker Onslow, "all the Papists now in England have their landed estates on a very precarious footing;" in other words, they were at the mercy of spies and informers, the most degraded portion of the species. "It was no longer the Protestant that is to be on his guard against the Papist, but the Papist must be armed at all points, and watch night and day against the legal assaults of his wife, his children, and his kindred: if all these affections are secure, yet his neighbour has an interest to become an informer against him; his sword of defence may wound himself, and the hospitality of his roof may leave him without a roof to shelter him. A bill of discovery may strip him in a moment of all his possessions."<sup>1</sup> In short, the law said a Papist shall be nothing but a Papist.

<sup>1</sup> MSS. British Museum, cited in Smyth's "Ireland."

Patriotism was impossible, industry without reward, education a crime, talent without any sphere in which it could exert itself; and yet the English, with their wonted penetration, and largeness of thought, complained that the Irish were ignorant, slothful, reckless, rebellious, and were amazed that the reluctant and tardy abolition of these laws did not at once, as by a charm, eradicate the evils they had engendered. It should be recollected, too, that this system of persecution fell upon the great majority of the population; in this it differs to its disadvantage from the conduct of the Spaniards towards the Moors, and of Louis the Fourteenth towards the Protestants. The means, however, had a fitness to the end, that end being such as few tyrants would have dared to own to themselves. Thoroughly paralysed and heart-broken, the Irish did not, till the close of the century, attempt to shake off the English yoke; neither in 1715 nor in 1745 was there the slightest effort in favour of the Pretender.<sup>1</sup> England reigned with undisputed supremacy over swamps, hovels, and potato grounds, and over jobbers, slaves, and beggars. Placemen and place-hunters now and then gave a

<sup>1</sup> "Jobs and claret engross and ruin the people of fashion."—*Chesterfield's Letters*, vol. iii. pp. 390 and 339.

"Let (the Patriots) make Connaught and Kerry know there is a king, a God, and a government, three things to which at present they are utter strangers."—*Ibid.*, vol. iv. p. 174.



little trouble to the government. Murders, maimings, conflagrations, robberies, rapes, prevailed throughout the land; but abhorrence was kept down by fear, and, till 1782, none of the signs that indicate the rising of national fury interrupted what Boulter and Stone then, and Fitzgibbon, and Lord Castlereagh, and Major Sirr afterwards, called peace, but what Tacitus has taught his readers to name the stillness of desolation.<sup>1</sup>

If we trace the commercial and political, as well as the moral and social, state of Ireland, we find our legislation characterised by all the short-sighted policy which really seems to infatuate the English, when the prospect of immediate gain is before their eyes. Lord Clarendon has left us the account of the conduct of the English Parliament, in prohibiting the importation of live cattle from Ireland in 1663 and 1665.

Driven from this branch of industry, the Irish increased the number of their sheep and manufactured wool. Again did England interfere. In answer to an address from both Houses of Parlia-

<sup>1</sup> "I see that you are in fears again from your White-boys, and have destroyed a good many of them. But I believe if the military force had killed half as many landlords, it would have contributed more effectually to restore quiet. The poor people are used worse than negroes by their lords and masters, and their deputies, of deputies, of deputies. For there is a sentiment in every human breast that asserts man's natural right to liberty and good usage, and that will, and ought to, rebel when oppressed and provoked to a certain degree."—*Chesterfield's Letters*, vol. v. p. 463. Passage omitted in former editions.

ment (1698), William the Third promised to do all that in him lay to discourage the woollen manufacture in Ireland. The importation of wool and manufactured woollens from Ireland, was prohibited under pain of transportation. To regulate the trade of Ireland in subserviency to the views of the mercantile interest in England, it was requisite that England should have the power of controlling the Irish courts of justice. Influence over the Irish judges, and a final jurisdiction, alone could make her legislation effectual.<sup>1</sup> This was established in the year 1719, when a private law-suit gave rise to a controversy, whether there lay an appeal from the Irish tribunals to the English House of Lords. This was the cause of an Act of Parliament<sup>2</sup> declaring that the legislature of England "had, hath, and of right ought to have, full power and authority to make statutes of sufficient force and validity to bind the people and kingdom of Ireland;" and secondly, "That the House of Lords of Ireland have not, nor of right ought to have, any jurisdiction to judge of affairs, or reverse any judgment, sentence, or decree given or made in any court within the said kingdom." In the first year of George the Second Boulter succeeded in getting an Act passed which deprived all Catholics of the elective franchise. Every motive for conciliating the people was now taken

<sup>1</sup> Molyneux, "Case of Ireland."

<sup>2</sup> 6 George I., c. 9.

away.<sup>1</sup> Every mark which distinguishes freemen from slaves, or, indeed, the slave of a king like Louis the Ninth or Henry the Fourth of France, from the slave of Caligula, or Henry the Eighth of England, had been obliterated, when a question began to be agitated which led the Irish Protestant landlord to reflect that when he sold the happiness of his country to England, his own rights had been comprised in the bargain.<sup>2</sup> Before I dwell on these transactions it is necessary to call the reader's attention to a short but splendid exception to this uniform scene of folly, oppression, and barbarity, which was exhibited during the time that Lord Chesterfield exercised the vice-regal authority, from March 1745 to October 1746. It is by his conduct in this office, not by his frivolous and superficial, though elegantly written, letters—inculcating a morality based exclusively on self-interest, and consistent with all vices but the most flagrant disregard of truth and honour—that Lord Chesterfield has established a claim on the gratitude and admiration of his countrymen. The supple courtier and unscrupulous

<sup>1</sup> If our practical statesmen had deigned to consult the teachers of ancient wisdom, they would have been taught a different lesson from that inculcated by the Dodingtons and the Stones. "Solon seems to have given the people a most essential power—the choice of public ministers, and the right of calling them to account. For if the people is deprived even of these rights, it will be *enslaved* and *hostile*—δουλος ἂν εἴη καὶ πολέμιος."—ARISTOTLE, πολ. lib. ii. sc. 10.

<sup>2</sup> The Irish "thought themselves contemned; they saw the channel of power totally diverted from the natives."—WALPOLE, *George II.*, p. 281.



pulous man of fashion appears all at once in the dignified light of a great statesman, upright, enlightened, generous; disdaining all that is mean, crooked, or little, and steadily pursuing, in spite of the detestable examples before his eyes, and the atmosphere of corruption by which he was surrounded, a beneficent and noble policy. Instead of directions how to flatter harlots, or to win the favour of imbecile greatness, exhortations to seduce women, and advice to imitate the most worthless of mankind, we find philosophy in action, and amid the "dregs of Romulus," the disinterestedness of Cato and the wisdom of Pericles. There is nothing in any part of the elder Pitt's career more noble or becoming than the Irish administration of Lord Chesterfield. If it is asked how such a phenomenon is to be explained,—I say that Lord Chesterfield had a fine understanding and a generous nature, corrupted by vicious example and blurred by excessive vanity. His just scorn for the gross vices and open brutality then fashionable in England flung him into the opposite extreme, and he adopted the vices of an amiable and a refined people. With these, it is only just to say, he imitated their virtues. Nothing is more remarkable in every part of his correspondence, even during the time he filled the most exalted posts, and was dictator of social life, than his delicate and attentive consideration for his



inferiors.<sup>1</sup> As he advanced in life,—as, in his own phrase, he was admitted behind the scenes and saw the ropes and pulleys which set the machine at which the vulgar gazed in motion,—he detected the illusions by which in earlier life he had been misled. His scorn for kings and their favourites is unbounded, nor do the pages of Montesquieu, or Rousseau, or Swift, contain more severe animadversions on courts than experience has dictated to him who was long their assiduous denizen and most polished ornament. Had the opportunity been afforded him, he certainly would have struck out of letters never intended for publication much that offends the moralist; but he might have left in them every syllable that relates to government or policy, to the interests of England or of Europe. His views on all these subjects are great and luminous, and far beyond the age in which he lived. His conduct in Ireland; his resignation of office in 1748; his interference (to which he himself never even alludes, and which saved the nation from a series of disasters) in 1756, were acts which became a great nobleman,

<sup>1</sup> This leads me to believe that we do not know the truth of the quarrel between him and Dr. Johnson. Lord Chesterfield must have despised Johnson's frantic bigotry, but he was not likely to treat any man of letters with contempt. I quote, in support of this view, a passage worthy of Fénelon:—"I shall go to London in November, upon the account of Lady Chesterfield, and even of my servants, who, not having the resources that I have, would be miserable here in the winter. The difference will be but little to me, it will be great to them; which, in my mind, makes it a social duty."—Vol. iv. p. 134.

and entitle him to a conspicuous place in the scanty (since 1641 the roll is almost a blank) catalogue of English patriots. Let it not be thought a digression that I have paid this tribute to a man whose administration is an isthmus between two disastrous and disgraceful periods—a short but luminous interval, on which the eye of man may repose, in the dreary waste of wickedness and stupidity, of hypocrisy and selfishness, which for ages before, and almost a century afterwards, are the unvarying and hideous lineaments of Irish government. I return to the painful narrative. After the peace of Aix-la-Chapelle there was a considerable surplus in the Irish treasury—it amounted to upwards of £200,000. It was agreed that it should be applied to the reduction of the national debt of Ireland. The bill passed so drawn as to imply the king's consent. Under the same circumstances, in 1751, the Duke of Dorset declared, in his speech from the throne, that the king did graciously consent and recommend to them the same employment of the money. The Commons thanked the king for his recommendation, but took no notice of his consent. The bill was sent back from England with the word "consent" inserted, and the Commons acquiesced. Such were the precedents. To explain the sequel it is necessary to state that Primate Boulter had been succeeded in station and influence by another priest,

Stone,<sup>1</sup> as ambitious as himself, and, in private as well as in public life, a scandalous profligate. Burke has described him,<sup>2</sup> “an atheist playing the part of a bigot”—a picture of finished depravity to which nothing can be added. His brother was the bosom friend of Newcastle and the Jacobite preceptor of George the Third, upheld by Murray and the Princess Dowager, in spite of all the remonstrances of Lord Harcourt and the Bishop of Norwich, his nominal superiors. This pious supporter of the Protestant religion and English government followed the track of his predecessor. At this time, however, Mr. Boyle,<sup>3</sup> a man of no great abilities, but of considerable genius for intrigue, had been twenty years Speaker of the Irish House of Commons, and was at the head of a large knot of jobbers. These two men soon came into collision. The Duke of Dorset, following the tradition of English policy, relied on Stone.

The seekers of office arrayed themselves under the banners of the two rivals. The first trial of strength was an attack on Mr. Neville, the Surveyor-General.

<sup>1</sup> “He had been hurried up through two or three Irish bishoprics to the Primacy not only unwarrantably young, but without the graver excuses of learning and sanctimony.”—WALPOLE, *George II.*, vol. i. p. 231.

<sup>2</sup> Lord Chesterfield said to him, “My lord, you should take orders.”

<sup>3</sup> “A man of moderate capacity.”—WALPOLE, *George II.*, vol. i. p. 279.

Before this, Lucas, an apothecary, had attempted to disturb the stagnant pool. He was banished—turned physician in London, afterwards came back to Ireland, and was member for Dublin.



By some he is called honourable, by others corrupt. But he must be a stranger to Irish proceedings in that day who supposes that if he had been Verres he would not have been acquitted by one side, and that if he had been Phocion he would not have been found guilty by the other. Boyle triumphed, and Neville was expelled the House of Commons.<sup>1</sup> Having thus established his pre-eminence in a personal, Boyle resolved to try his strength on a national, question: it turned on the topic that has been mentioned, whether the king's consent should be mentioned in a bill disposing of the surplus money in the Irish treasury; a bill so worded having been returned from England. Boyle caused the bill to be flung out by one hundred and twenty-two to one hundred and seventeen.<sup>2</sup> In

<sup>1</sup> "I thought I perfectly understood the meaning of all your disputes in Ireland while they related only to the roasting or Boyleing of Arthur Jones Neville, Esq., and I heard of them with the same indifference with which I formerly heard those of Charles Lucas, apothecary. These objects were indifferent to me because I thought them so to Ireland; and I humbly apprehend that the only point in question was the old one—who should govern the governor."—*Chesterfield's Letters*, vol. iv. p. 96.

"The Speaker furnished himself as chief to the faction, but they had wiser heads to direct both them and their chiefs; of these were Carter, the Master of the Rolls, Sir Richard Cox, and Malone."—WALPOLE, *George II.*, vol. ii. p. 281.

"Carter had always been a Whig, but had constantly fomented every discontent against the Lord-Lieutenant, in order to be bought off."—*Ibid.*

<sup>2</sup> The toasts given to celebrate this victory over the primate contain imputations I cannot quote. Chesterfield says of them, "I think I discover in them all the guards of prudence, all the depths of policy, and all the urbanity of refined and delicate satire."—*Letters*, vol. iv. p. 96.

"The Speaker's party, which is now, by the ill-management of others, become the majority of the House, deny the king's right to the surplus, &c. It is believed that the House of Commons will proceed to some personal votes against



consequence he was dismissed from his office of Chancellor of the Exchequer, and all who voted with him were deprived of their places. The result of all this mock display of patriotic virtue may be stated in the words of Lord Charlemont's biographer—probably Grattan—"The particular question which became the trial of strength between the belligerent powers—Mr. Boyle, afterwards Lord Shannon, and the primate—was decided in favour of the latter. The professions of both were, in truth, 're inania aut subdola.' For, after all the tempest which shook Ireland to its centre, the king's letter drew at once all the money out of the treasury, and the chiefs from whom all the ferment arose acted the same deceptive scenes which have been so often played in politics." Ministers at home were frightened. Lord Hartington, afterwards Duke of Devonshire, was sent over, by Henry Fox's influence, in the place of the Duke of Dorset. He not only reinstated Mr. Boyle in the chancellorship of the Exchequer, but created him an earl, and conferred upon him a pension of £2,000 a year for thirty-one

the primate and Lord George Sackville, who are the capital objects of their aversion. This only is certain, the Duke of Dorset is making what haste he can to come here, and will not, nor cannot (*sic*) go back again."—*Ibid.*, p. 101.

"Whoever has seen the first tide turn in favour of an opposition, may judge of the riotous triumphs occasioned by this victory. The ladies made balls, the mob bonfires, the poets pasquinades; if Pasquin has seen wittier, he himself never saw more severe or less delicate lampoons."—WALPOLE, *George II.*, vol. i. p. 283.

years. Mr. Ponsonby was made Speaker without opposition.<sup>1</sup> Mr. Carter was made Secretary of State, with an additional salary. Sir Richard Cox obtained a large pension. The inferior partisans<sup>2</sup> were all provided for—"Nemo," says a contemporary writer, "non donatus abibat." So pure, so disinterested, so beneficial to the community, was this first outburst of Irish patriotism. From that time the biographer of Lord Charlemont tells us he resolved to bind himself to no such leaders.<sup>3</sup> From 1757 to 1761 the Duke of Bedford was Lord-Lieutenant. He disgusted the Irish, says Plowden, by his coldness and his economy. He certainly did not deviate from the beaten path of his predecessors. He gave Rigby the Mastership of the Rolls, and another large Irish sinecure.<sup>4</sup> In answer to a letter desiring that the Landgravine of Hesse may be put on the Irish

<sup>1</sup> "In this union of the primate with the Earl of Besborough, the principles of each were, that the Earl, thinking the primate more attentive to power than riches, fed himself with the hope of drawing the profit to himself. The primate, inordinately ambitious, made no doubt of governing the youthful Speaker, and so bringing the whole power of the State into his own hands."—PLOWDEN, vol. i. p. 315. "Sed tu victrix provincia ploras."

<sup>2</sup> Hardy, vol. i. p. 48.

<sup>3</sup> "The conduct of the leaders in 1753 made a deep impression on Lord Charlemont. From that time he resolved to be a freeman."—HARDY, *Life of Charlemont*, p. 51.

"The imbecility, the general depression of the kingdom, the neglect of ministers at some periods, their contempt of the country at all times—contempt not confined to them, but diffused through every class of society in England—made it more particularly incumbent, as he thought, for some persons here to display a vigilance in favour of Ireland."—*Ibid.*, p. 52.

<sup>4</sup> £4,000 a year.

pension list for £6,000 a year, he frankly says, "The leading people must have douceurs, by these means his Majesty may do what he pleases in that country.<sup>1</sup> The Princess of Hesse may have her pension." In short, the duke, governed by the counsels of Stone and Rigby, put himself into the hands of the Undertakers. They were opposed by another faction, equally corrupt, who called themselves Patriots.<sup>2</sup> Lord Charlemont refused to join with either. To please the Patriots a bill was passed, which, in fact, was a vote of money to Irish landlords—it was called a bill for granting a bounty on all flour and corn brought to Dublin by land carriage. This soon amounted to £50,000 a year. The Duke of

<sup>1</sup> "Bedford Correspondence," vol. ii. p. 335.

<sup>2</sup> "The Castle will, I take it for granted, somehow or other procure a majority, which when the Patriots perceive, they will probably think half a loaf better than no bread, and come into measures. I wish, for the sake of Ireland, that they may; for I am quite sure . . . the public good never enters into the head of either party."—*Chesterfield's Letters*, vol. iv. p. 168.

"My Lord,—I beg your Grace will pardon the liberty I take, in troubling you upon a subject which is of the utmost consequence to me and my family. Lord Harrington having some time ago wrote to Mr. Clements that he wished to sell his employment of *Comptroller of the Customs in this port*, Mr. Clements mentioned it to me; and I wrote to some of my friends in London, to say that if you should be pleased to approve of Lord Harrington's resignation, I should be glad of this employment upon the terms which he had proposed to Mr. Clements, who told me that he declined it. Lord Harrington and my friends have accordingly agreed upon the terms; but as his lordship's patent runs during pleasure only, the favour I would entreat from your Grace is, that this patent (through your Grace's most powerful interest with his Majesty) may be granted to a friend of mine for my use during the lives of my three sons, William, John, and George."—*Ponsonby to the Duke of Bedford*, June 30, 1760. *Bedford Correspondence*, vol. ii. p. 416.



Bedford in vain attempted to limit the grant to a term of years ; he was compelled to grant it in perpetuity. This was the job of the Patriots. At the same time an addition of £500 a year was made to the salary of Mr. Ponsonby, as Speaker of the House of Commons ; this, in 1761, was augmented to £2,000 a year, and in 1765 to £4,000, besides the emoluments, and £500 from the crown each session ; which before this time had been considered sufficient. This was the job of the Undertakers. It was not likely that any dispute would again arise as to an undisposed-of surplus.<sup>1</sup> The Duke of Bedford's want of judgment, and Rigby's counsels, gave rise to very serious disturbances ; one in particular, when the playhouse was destroyed, and which was put down by military force, assumed, after a few hours, very considerable dimensions.

Mr. Pitt does not conceal his disapprobation of the Duke of Bedford's conduct.<sup>2</sup> "They have sent

<sup>1</sup> "Loud as was the cry of patriotism in 1753, lamentable is it to reflect that when the boasted purity of these patriots was called into action by some of the few sincere supporters of the party, the majority became as recreant from the cause of civil freedom as the most venal prostitute to systematic corruption. . . In March, 1756, the House of Commons rejected a bill vacating the seats of such members as should accept any place or pension from the Crown, by 89 to 95."—*Plowden*, vol. i. p. 316.

"The blaze excited in 1753 was no more seen. The chiefs who fanned that flame were completely gratified by the Court, and had not the least inclination to indulge the public with such spectacles longer than suited their own sinister ambition."—*HARDY'S Life of Charlemont ; Barrington's Memoirs*, vol. i. p. 30.

<sup>2</sup> "I am to observe to your Grace, with regard to the apprehensions you express



Æolus to quell a storm," is Horace Walpole's comment on his policy. But bribes and titles produced their usual effect. The tumult subsided; everything returned to its former channel. The Irish pension was filled with the names of renegades and apostates, mixed with those of a satellite, of a female relation of the Duke of Bedford's,<sup>1</sup> and of profligate English politicians. The Irish people who did not seek refuge in foreign lands were starved, plundered, and ground to dust by their own countrymen. All these evils were aggravated by the Irish Church establish-

of designs for stopping the Money Bill, that as those apprehensions are founded only on the surmise of heats and resentments that might follow your non-compliance with the demands of the House in transmitting their resolutions to his Majesty, they will, it is hoped, immediately and entirely cease on your Grace's complying with the same, as above directed by the king."—*Bedford Correspondence*, vol. ii. p. 301.

"With regard to the causes of the late outrages, I cannot but remark that considering your Grace mentions this riot to have taken its rise in the Earl of Meath's liberty, chiefly inhabited by Protestant weavers, there is still more pregnant grounds to apprehend that the money transactions of Mr. Malone and Mr. Clements have probably been one fatal ingredient among others observed by your Grace towards distempering and revolting the minds of a manufacturing multitude, who (though nothing can extenuate the guilt of such an insurrection) may perhaps have felt in their trade the consequence of such a scandalous and iniquitous business, which continues here to be viewed in the same light, and to stand the object of public animadversion."—*Pitt to the Duke of Bedford*, Jan. 5, 1760, *Ibid.*, p. 400.

"As to the other part, of your calling for support to *punish* now the undutiful and impertinent, give me leave to say that his Majesty has all the inclination and resolution to support you; but that it is his opinion, at present, that you should try all conciliatory ways, which from my own experience I think will succeed, especially now the Money Bill is transmitted to you."—*Earl Granville to the Duke of Bedford*, Nov. 27, 1757, *Ibid.*, p. 308.

<sup>6</sup> Lady Betty Waldegrave. The duke gave her the pension which had been paid to the king's sister, the Queen Dowager of Prussia—£800 a year.

ment, among the most absurd and indefensible of all the evils by which the human race has ever been afflicted—the constant theme of derision and reproach of every foreign writer, whatever may be his opinions, and never mentioned with a single word of praise, or, indeed, of moderate vituperation. Richly endowed and bitterly hated, neither instructing nor intended to instruct the great body of the people, it still remains as a memorial of English bigotry, of Irish corruption, and of all that wise and good rulers would desire to obliterate from the minds of the nation entrusted to their government. Meanwhile, the Patriots became earls and sinecurists,<sup>1</sup> and the wrongs of their country remained without redress.

This was the auspicious beginning of Parliamentary government in Ireland, and this the state of that miserable nation, after five hundred years of English rule, on the accession of George the Third.

<sup>1</sup> “Promotions, peerages, places, and pensions agreed to by George the Second, 1760:—

*“Peers to be promoted.*—Lord Mornington to be created an Earl; Lord Ludlow to be created an Earl; Lord Farnham to be created a Viscount; Lord Russborough to be created a Viscount.

*“Peers to be created.*—Sir Thomas Taylor to be created a Baron; Mr. Cole, a Baron; Mr. Browne, of Westport, a Baron; Mr. Holmes, of the Isle of Wight, a Baron.

*“Privy Councillors to be made.*—Earl of Drogheda, Lord Farnham, Sir William Fownes, Benjamin Burton, Esq.

“Mr. Attorney-General to be Chief Justice of the King’s Bench; Mr. Solicitor-General to be Attorney; Mr. John Gore to be Solicitor-General; Mr. Anthony Foster, to be Counsel to the Commissioners.”—*Bedford Corr.*, vol. ii. p. 418.

## APPENDIX TO BOOK I.

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*Nobles.*

Twenty-nine peers were summoned to Parliament on the accession of Henry the Seventh.

*Law.*

"Notwithstanding all which, and the evident utility, safety, &c., the proposal for a general registry was unaccountably rejected, 1709."—ANDERSON'S *Commerce*, vol. ii., *Registry Act*, 7 Anne, c. 22, *Preamble*.

Sir H. Spelman remarks that, in his time, while everything else became dearer, the life of man became cheaper. It was not above the value of twelve pence. Twelve pence then would purchase as much as forty shillings in these days. Yet a theft above the value of twelve pence is still (1772) liable to the same punishment. The passage in Blackstone is well known.

"The statute of Rutland and the statute of Articuli Super Chartas were evidently meant to prohibit the Court of Exchequer from holding plea of any civil matter. Yet they (that is the judges of that court) retained the jurisdiction they had usurped in defiance of them, by conniving at the complainant's falsely suggesting he was a debtor to the king."—BOOTE, *Suit at Law*, p. 32.

"To draw these actions into their court, the Court of King's Bench 'were obliged to resort to a fiction, as the Court of Exchequer had done.'"—*Ibid.*, p. 33.

"An Act of Parliament, however, which shows the scandalous immorality of the Bar and the Bench, having been passed in Charles the Second's time, requiring 'the true cause of action to be stated in the writ,' the Court of King's Bench was suddenly reduced to the danger of losing its business. In order to obviate this they did not have recourse to the legislature, but, in the true spirit of English jurisprudence, had recourse to as despicable a trick as any pettifogger ever invented 'This curious device,' says Boote, 'was, if not invented, certainly connived at, by the Chief Justice of the King's Bench, and occasioned a strong remonstrance from the Chief Justice of the Common Pleas, who urged that the trick was not only in the face of the statute, but founded on an allegation false and contrary to law.'"—*Ibid.*, p. 36.

"These useless, unnecessary, and unintelligible forms are continued, as things



wonderfully material, and with much exactness followed, though one may venture to say that they only serve to swell the bulk of subsequent proceedings, and very unnecessarily increase the expense of a suit."—*Ibid.*, p. 107.

"Before the year 1662, it was in the power of any one man to destroy the credit of five hundred by arresting them, as was then the practice, on this writ for large sums and never declaring to avoid paying any costs. It even became a by-word to say, 'I'll bestow a bill of Middlesex upon him.'"—*Ibid.*, p. 116.

"This statute did not remedy the evil, nor was it remedied till 12 George I."—*Ibid.*, p. 119.

"Is it not monstrous that the mere chance of having caught a fish of *two* shillings value,—the stopping the course of a trifling rivulet,—the cutting off the bough of a tree not worth *sixpence*,—the once riding across a ground, &c., should give rise to pleadings of 100, 150, or 200 sheets in length, and occasion an expense of £150 or £200? And yet such sort of trespasses, or actions on the case grounded on such matters, whereby a right comes in question, give rise to the most extensive and expensive pleadings, and often end in the ruin of one or other of the parties concerned in the suit.

"Where a poor man happens to be the defendant in such a case, it is impossible he should be able to contest such a suit, without risking the ruin of himself and his family, if he should have the misfortune to fail in his defence. And, indeed, considering the unavoidable uncertainty that is daily experienced in regard to decisions upon matters of this kind, it would in general be more advisable for a poor man in such a case quietly to yield up his right, than to contest with a rich and potent adversary, in favour of whom the old adage is too often verified, viz. that *might* overcomes *right*.

"But how poor soever a man may be, if he has a right, it is but natural for him to struggle to support it as long as he is able. And how great is the hardship the law puts him under, when, in order to do this, it obliges him to engage in such a labyrinth of tedious and expensive pleadings!

"So that after all, succeed or not succeed, a poor man in cases of this sort, as I observed before, had better quietly yield up his right, than contest with a powerful and litigious adversary, who is determined to have his will, though he tramples on the rights and liberties of his neighbour."—*Historical Treatise on the Courts of King's Bench and Common Pleas*, pp. 260, 261.

The following sentences were written by Burke almost on his death-bed:—"No wonder that such villains . . . should proceed as they do, when our courts of justice seem by their proceedings to be *in league with every kind of fraud and injustice*." "They let people die while they are looking for redress, and then all the proceedings are to begin over again. . . . As to any relief in the other (the common law) courts, I have been in them, and would not trust the fame or fortune of any human creature to them, if I could possibly help it. I have tried their justice. . . . I know them of old, and am only sorry, at my present departure, that I have not had an opportunity of painting them in their proper colours."—*Burke's Letters* (Feb. 15, 1797) to Dr. Lawrence. *Works*, vol. ii. p. 371, ed. 1852.



Interference of Baron Montague with the jury who acquitted Townley and Tilderley.—*Historical Register*, 1717, p. 17.

Black Act, 4 George II., c. 22, "If any person being disguised 'shall appear' in any warren, any place where deer have been kept, on any heath or high road, death."

"Quakers' affirmation not received in criminal cases."—7 and 8 William III., c. 34, sec. 6.

"Fox, as he loved sense and argument, could not bear a society who at once inverted the use of reason and the profession of justice."—*Walpole's Memoirs*, p. 150.

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"*Resolved, nemine contradicente*, That Thomas Bambridge, the acting warden of the Prison of the Fleet, hath wilfully permitted several debtors to the Crown in great sums of money, as well as debtors to divers of his Majesty's subjects, to escape; hath been guilty of the most notorious breaches of his trust, great extortions, and the highest crimes and misdemeanours in the execution of his said office; and hath arbitrarily and unlawfully loaded with irons, put into dungeons, and *destroyed prisoners for debt*, under his charge, treating them in the most barbarous and cruel manner, in high violation and contempt of the laws of this kingdom.

"*Resolved, nemine contradicente*, That John Huggins, Esq., late warden of the Prison of the Fleet, did, during the time of his wardenship, wilfully permit many considerable debtors in his custody to escape; and was notoriously guilty of great breaches of his trust, extortions, cruelties, and other high crimes and misdemeanours, in the execution of his said office, to the great oppression and ruin of many of the subjects of this kingdom.

"*Resolved*, That it appears to this House that James Barnes was an agent of, and an accomplice with, the said Thomas Bambridge, in the commission of his said crimes.

"*Resolved*, That it appears to this House that William Pindar was an agent of, and an accomplice with, the said Thomas Bambridge, in the commission of his said crimes.

"*Resolved*, That it appears to this House that John Everett was an agent of, and an accomplice with, the said Thomas Bambridge, in the commission of his said crimes.

"*Resolved*, That it appears to this House that Thomas King was an agent of, and an accomplice with, the said Thomas Bambridge, in the commission of his said crimes."—*Report from the Committee appointed to inquire into the state of Gaols of the Kingdom*. The details are horrible.

#### *Parties.*

"J'étais venu plein de l'idée qu'un Whig était un fin republicain ennemi de la royauté, et un Tory un partisan de l'obéissance passive, mais j'ai trouvé que dans le parlement, tous les Whig étaient pour la cour et les Torys contre elle."—VOLTAIRE'S *Mélanges*.

*Slave Trade.—Description of a Slave Ship.*

"On Friday, the men slaves being very sullen and unruly, having had no sustenance of any kind for forty-eight hours, except a dram, we put one half of the strongest of them in irons.

"On Saturday and Sunday all hands, night and day, could scarce keep the ship clear, and were constantly under arms.

"On Monday morning many of the slaves had got out of irons, and were attempting to break up the gratings; and the seamen not daring to go down the hold to clear our pumps, we were obliged, for the preservation of our own lives, to kill fifty of the ringleaders and stoutest of them.

"It is impossible to describe the misery the poor slaves underwent, having had no fresh water for five days. Their dismal cries and shrieks, and most frightful looks, added a great deal to our misfortunes; four of them were found dead, and one drowned herself in the hold. This evening the water gained on us, and three seamen dropped down with fatigue and thirst, which could not be quenched, though wine, rum, and shrub were given them alternately. On Thursday morning the ship had gained, during the night, above a foot of water, and the seamen quite wore out and many of them in despair. About ten in the forenoon we saw a sail; about two she discovered us, and bore down upon us; at five spoke to us, being the *King George*, of Londonderry, James Mackay, master; he immediately promised to take us on board, and hoisted out his yawl, it then blowing very fresh. The gale increasing, prevented him from saving anything but the white people's lives (which were thirty-six in number), not even any of our clothes, or one slave, the boat being scarce able to live in the sea the last trip she made."—*Ann. Reg.*, 1762, p. 118.

*Manners.*

When Sir Robert Walpole was told that he had been left in a minority, in the servant's House of Lords, he replied, "The Scotch peers have no footmen."

"The Lady Bridget Osborne, daughter of Thomas Osborne, Duke of Leeds, bestowed herself in marriage on — Williams, a clergyman."—*Hist. Reg.*, 1715.

"Badness of roads—all beyond Sarum and Dorchester *terra incognita*; road from Bath to Exeter deplorable; would sooner travel to the south of France and back than to Falmouth."—*Gentleman's Magazine*, 1770.

"Materials might be collected, not for a pamphlet, but a regular treatise, under distinct heads, concerning the abuses and corruption which prevail among us, in every part of the public service."—*BOLINGBROKE*, vol. iv. p. 386.

"Principal men became parties to the greatest frauds, and the highest of those who governed, and the lowest of those who were governed, contributed in their degrees to the universal rapine."—*Ibid.*

Five hundred men assembled at the bottom of Gray's Inn Lane, and extorted money from passengers on foot and horseback, on pretence of being weavers, which they were not.

"A sharp and bloody battle at the Haymarket between the new company of French strollers and the gentlemen of London. They saluted the company with a general concerto of hissing, cat calls, peltings, &c. This continued three hours, notwithstanding a guard of sixty men. At last, the music books being torn and some of the bass viols broken, the company separated about 8 p.m., the mob throwing dirt upon them as they came out, and committing other extravagances. The French Ambassador was at the house, with other persons of distinction."—*Hist. Reg.*, 1738.

Brogie, in his despatch to the King of France, mentions the importance of the two Turkish pages, Mustapha and Mahomet.

Duchess of Munster engaged to procure a peerage for Sir Richard Child, a violent Tory.

### *State of the Country.*

Pretender's council of five were Arran, Orrery, North, Gower, and Bishop of Rochester.

"France," said Henry Pelham, writing in 1750, "is in a condition, if she knew it, almost to dictate her own terms to all Europe."—*Chatham Correspondence*, vol. i. p. 50.

"George Grenville asks, speaking of his own estate, 'Impius hæc tam culta novalia miles habebit? Barbarus has segetes?' Are we to have the Russians and the Cossacks here?"—*Ibid.*, vol. i. p. 164.

"Bolingbroke had, by his writings, so irritated and inflamed the nation, that there was too much reason to fear the rage to which he had wrought up the great body of the people might produce the most desperate attempts."—*ONSLOW*.

"Recent experience," says Bolingbroke, writing in 1749, proves "how unfit we are become in every respect, except the courage of our common soldiers and sailors, to engage in war; we shall not therefore, I suppose, provoke it easily or soon."

"A rabble of three thousand men gathered in the mountains."—*Letter of the Duke of Cumberland*, cit. *COXE's Pelham*.

"For my part I have long dreaded it, and am as much convinced as my friend Lord Orford was, that this country will be fought for some time before the year is over. But nothing can go on right till the government has a head, which I hope it will not be long without, for Lord Harrington was to set out from Hanover last Friday, and the king intended to follow him in a very few days."—*Pelham's Letter*, *COXE*, p. 258. 1745.

"England, Wade says, and I believe, is for the first comer, and if you can tell whether the six thousand Dutch and ten battalions of English, or five thousand French and Spaniards will be here first, you know our fate."—*Ibid.*, p. 264.

"Had five thousand French landed in this island a week ago, I verily believe the conquest would not have cost them a battle."—*Ibid.*

"Imagine everything in confusion, obstinate, angry, determined impracticability throughout."—*Fox to Sir C. H. Williams*, *Ibid.*



*Cross of Gold and Cross of Wood.*

Speaking of Charles the Fifth's interim, Voltaire says: "Ce n'était pas se déclarer chef de l'Eglise, comme le roi d'Angleterre Henri le Huitième; mais c'eût été être en effet si les Allemands avaient eu autant de docilité que les Anglais."

"Suit brought by Mr. Sellon, minister of St. James's Church, Clerkenwell, against Mr. Hawes, for preaching at Lady Huntingdon's Chapel, in that parish, decided in favour of Mr. Sellon. It was proved that 1,500 or 2,000 people often resorted to it, and that Mr. Sellon was thereby greatly injured in the profits of his living; that Lady Huntingdon had taken a lease of the ground, and that the chapel was her chapel."—*Ann. Reg.*, 1780, p. 214.

"In 1720, two bishops, with six or seven other prelates, petitioned the king that they might be incorporated for purchasing and improving forfeited and other estates."—ANDERSON, vol. ii. p. 100.

"L'Eglise a toujours pensé ainsi."—MONTESQUIEU.

The Rev. Mr. Patten was, during many years, curate of Whitstable, at a very small stipend, and used every Sunday to travel, in a butcher's cart, to do duty at another church. Whitstable, lying close to the sea, is very aguish, so that had he been dismissed, it would have been very difficult for the Archbishop of Canterbury, to whom the living belonged, to have provided another curate at the same low rate: this he well knew, and presuming upon it, was a great plague to every new primate. He kept a mistress publicly, and had that esteem for punch, that when his sermons were too long, some one showing him a lemon, might at any time cause him to bring his discourse to an abrupt conclusion, that he might be at liberty to adjourn to the public-house.

"When Dr. Wake was Archbishop, some tale-bearer informed his Grace, that Mr. Patten had given a marriage-certificate, which he had signed by the title of Bishop of Whitstable. At the next visitation, the Archbishop sternly asked Mr. P. whether the report was true? To which Patten replied, 'I shall answer your Grace's question by another.—Are you fool enough to take notice of it, if it be true?'

"When Dr. Secker was enthroned, or soon after, he gave a charge to his clergy, and among other articles, found great fault with the scanty allowance often paid to curates. Mr. Patten, who was there (though not summoned, as his usual boldness at these meetings occasioned an order for him to be left out of the list), arose from his seat, and bowing to the Archbishop, said with a loud voice, 'I thank your Grace.' After the charge was over, this troublesome subaltern, bustling through the crowd, came up to the metropolitan, who feeling that he could not avoid him, began with the usual question, 'You are, Sir, I apprehend, curate of Whitstable?' 'I am so,' returned Mr. Patten, 'and have received the paltry sum of thirty pounds per annum from your Grace's predecessors, for doing the duty of a living which brings in full three hundred.' 'Don't enlarge, Mr. Patten,' said the Archbishop; 'No, but I hope your Grace *will*,' rejoined the curate."—*Anecdotes*, &c., p. 461.



"Religious animosities were out of date; the public had no turn for controversy; the Church had no writers to make them fond of it again."—WALPOLE'S *Hist. George II.*, vol. i. p. 147.

After mentioning a generous action of Bishop Butler, Dr. King, the famous Jacobite, says, "Trevor, his successor, possessed of a large estate besides his bishopric, is of a different turn of mind, but in common with many of his order. To speak freely, I know nothing that has brought so great a reproach on the Church of England as the avarice and ambition of our bishops. Chandler, Bishop of Durham; Willis, Bishop of Winchester; Potter, Archbishop of Canterbury; Gibson and Sherlock, Bishops of London, all died shamefully rich."—*Dr. King's Memoirs*, p. 183.

#### *Excommunication.*

Dr. Cosins says, concerning this writ, "that it is a liberty or privilege peculiar to the Church of England above all the realms of Christendom that he has read of."—Cit. BURNS, *Ecc. Law*, ed. 1763. *Tit. Excommun.*; and see 5 Elizabeth, c. 23.

#### *Intrigue of Sunderland and Stanhope.*

Carleton, Cadogan, Lechmere, Hampden, joined Sunderland.

"At what precise period or by what inducement Stanhope was gained by Sunderland, cannot be positively ascertained; but from the general disinterestedness of his character, I am led to conclude that he did not *lightly* betray his friends."—COXE'S *Walpole*, p. 97, 4to.

#### *Labourers.*

1536. A bill concerning bondmen was rejected by the House of Lords.

"Liber est," says Bracton, "qui potest ire quò vult."

"Purum villenagium est qui scire non potest vespere quale servitium fieri debet mane."

"Day labourers employed in repair of roads, for which they received no wages."—BURNS, p. 309.

#### *Poor.*

"I think it may fairly be said that the poor laws in this country compose one of the most burdensome, complicated, and perplexed systems of economy that has ever been known in any country. . . . It is a full proof how much our very best virtues, separated from the direction of an enlarged and legislative prudence, may come to have all the effect and operation of vice." "Profession has nothing to do with locality; by confining a man where he cannot have employment, and keeping him from where he can, you do him a double injury

Transportation to America is not more a punishment than to send him where he may possibly starve. Parishes consider themselves as having no common interest. It is to prevent a man from being a possible burden to one parish, that he is made an actual burden to another."—*Burke's Works*, vol. ii. p. 414, ed. 1852.

### *War of 1739.*

Parliament had formally resolved that no peace should be concluded with Spain till the right of search had been abandoned.

It is curious to contrast the blustering tone with which we entered upon the war with the timid language of the ministers in vindicating the peace. Spain kept her right of search; but Pelham said, "I am persuaded that Spain will not allow her *Guarda Costas* to abuse that right." To so much purpose had the blood and treasure of England been lavished for nine years. No attempt was made to define the limits of the French and English territories in North America, or to settle the meaning of illicit trade with the Spanish colonies in South America. The unfunded debt was upwards of five millions and a half.

### *Henry Smith.*

As Henry Smith's works are little known, I cite some few passages to justify my assertion as to his eloquence. Of course it must be recollected that in those days it was usual for a clergyman of the English Church, even if he were a dean or a canon, to believe in the inspiration of the Old and New Testaments.

"Who would have said that Jerusalem would have become an harlot—that the chosen people should become the most cursed upon the earth? Yet so it is, saith Paul; thus and thus have they done, and thus hath God forsaken them. Who would have thought" (and then follows a rapid enumeration of the sins of Noah, Lot, David, Solomon). "The strong men are fallen: the lights of the world fell like the stars of heaven. These tall cedars, strong oaks, fair pillars lie in the dust, whose tops glittered in the air, that they which think they stand may take heed lest they fall. Can I look upon these ruins without compassion, can I remember them without fear, unless I be a reprobate, and a heart of flint? Who am I, that I should stand, when these cedars are blown to the ground, and showed themselves but men? The best man is but a man, the worst are worse than beasts. They which had greater gifts than we, they which had deeper roots than we, they which have had stronger hearts than we, they which had more props than we, are fallen like a bird that is weary of her flight, and turned back in the twinkling of an eye. . . . Sometime, I may say, these wanted a tempter; sometime, I may say, these wanted time; sometime, I may say, these wanted place; sometime the tempter was present, and there wanted neither time nor place. But God held me back, that I should not consent; so near have we glided by sin, like a ship which strikes upon a rock and slips away, or a bird that scapes from the fowler when the net is on her. There is no salt but may lose his saltiness, no wine

but may lose his strength, no flower but may lose his scent, no light but may be eclipsed, no beauty but may be stained, no fruit but may be blasted, no soul but may be corrupted."

Again, on Agrippa's "almost thou persuadest me to be a Christian":—"Let us see what it is to be almost a Christian. Almost a Christian is not a Christian. A Christian almost is like a woman that dieth in travail; almost she brought forth a son—but that 'almost' killed the mother and the son." (A vehement enumeration follows.) "He which gives almost, gives not, but denies. He which believes almost, believes not, but doubteth. Can the door which is almost shut keep out the thief? Can the cup which is almost whole hold the wine? Can the ship which is almost sound keep out the water. The soldier which does but almost fight is a coward; the physician which does but almost cure is a slubberer; the servant which does but almost labour is a loiterer. . . . If thou believest almost, thou shalt be saved almost; as a pardon comes while the thief hangs upon the gallows, he is almost saved, but the pardon does him no good; so he which is almost zealous, almost righteous, which does almost love, almost believe, shall be almost saved."

"Methinks I hear some men bid Solomon stay before he comes to 'all is vanity.' It may be that sin is vanity, and pleasure is vanity; but shall we condemn all for sin and pleasure? What say you to beauty, which is Nature's dowry, and cheers the eye? Beauty is like a fair picture, take away the colour and there is nothing left. But what say you to riches, which make men lords over the rest, and allow them to go brave, and lie soft, and fare daintily, and have what they list? Riches are like painted grapes, which look as though they would satisfy a man, but do not slake his hunger, nor quench his thirst. But what say you to honour, which sets a man aloft and makes the knee bow, and the tongue soothe, and the head stand bare, as though they were other kind of creatures above them? Honour is like a king in a play, when his part is done his ornaments are taken from him. But what say you to profound knowledge in deep mysteries, which makes men sought unto and called deep clerks and great doctors? Knowledge is like the letters which Uriah carried against himself. What say you to long life, which causes a man to see his children's children, and makes him reverent before the people? Long life is like a long night when a man cannot sleep; so age is wearisome with sickness and strives with itself because it cannot walk, nor talk, nor hear, nor see, nor taste, nor sleep, as it was wont, therefore wishes often the night were gone that the pain were past. Show me the light which will not darken. Show me the flower that will not fade. Show me the fruit that will not corrupt. Show me the garment which will not wear. Show me the beauty which will not wither. Show me the strength which will not weaken. Show me the time which will not pass—and I will recall that all is vanity."

## BOOK II.





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### CHAPTER I.

#### REIGN OF GEORGE THE THIRD.

THE reign of George the Third began and ended in the intoxication of success, and the festal blaze of victory. But if at its outset and its close the political firmament was bright with glory, during the greater part of the intermediate time it was overcast with clouds and beset with darkness. From the first resignation of the elder Pitt—excepting the short and wonderfully prosperous interval, from 1783 to 1792, when his son, with an enlightened wisdom beyond his era, seized upon and for the first time applied to the public service the maxims of political economy developed among English readers in the great work of Adam Smith—it was a scene of gloom, confusion, and discontent.

A mighty empire lost by folly in the West, another won by fraud and violence in the East ;—the Church

returning to its intolerant and servile doctrines ;—the law, rescued for a short time by Lord Mansfield from the gripe of attorneys, and made less revolting to sense and justice, but speedily restored by his successors to the old anarchy of chicane and chance ;—the metropolis of England for four days delivered into the hands of a furious rabble, masking the purposes of robbers and incendiaries under the colour of religious zeal ;—a war undertaken in the spirit of the Crusades, to put down opinion by the sword ;—triumphs by sea, calamities by land ;—a son of England squandering the blood of her soldiers, dishonouring the flag that had waved at Blenheim and Ramilies, and chased into the sea by the foes she expected him to destroy ;—the fabric of public credit rocking and reeling from its foundations ;—taxes increased, not only beyond example, but beyond what the wildest paroxysms of a dis-tempered fancy could have imagined that the nation would endure ;—the transition from an agricultural to a merely commercial and manufacturing people becoming every year more strongly marked ;—the old, frank, out-spoken vices of a plain, manly generation exchanged for those of priests and courtiers, for superstition and hypocrisy ;—the decay of taste and literature ;—the ursuit of material interests and the study of physical science gradually superseding every other object ;—classical studies at the

university, which had so long buoyed up, refined, and animated the heavy, rough, and sluggish English nature, degraded into a mechanical trick and drudgery, compared with which the routine of a shop is liberal—useless to those who did not submit to it; ruinous, as the tone of thought among us at this hour too clearly proves, to those who did;<sup>1</sup>—all sense of things moral and intellectual rapidly diminishing;—mutiny in our fleet, revolt in our dependencies;—the crimes and ill-success that sullied the cause of freedom abroad used as an argument to fortify all that was oppressive and illiberal at home;—the senate, adorned for almost half a century by an eloquence which, if it did not take from corruption all its evil, obliged it to conceal much of its deformity, gradually stripped, as doctrines which Elliot and Hampden never knew prevailed, of its ancient spirit;—the intellect employed in public life dwindling, till mediocrity or servility the most abject, sheltering and atoning for talent, were almost the sole passport to high station in Church or State;—prerogative judges, unjustifiable prosecutions, iniquitous verdicts, cruel sentences;—one noble measure, the abolition of the slave trade,

<sup>1</sup> *E.g.* See the new rules for the regulation of Oxford, worthy of the supposed authors of the “*Epistolæ obscurorum virorum*.” Attila could have suggested nothing more favourable to “cramming,” better calculated to stifle every gleam of taste and original genius, or—as I suppose the commissioners intended—

“To make one mighty Dunciad of the land.”



carried by great and generous ministers, notwithstanding the bitter hostility and vile intrigues of low-minded time-servers and of a monarch steeled against pity, and deaf to eloquence;—rebellion in Ireland provoked by oppression,<sup>1</sup> and avenged by cruelties to which the scalping-knife was hardly wanting;<sup>2</sup>—an union with that country purchased by corruption<sup>3</sup> more sickening than any that has been recorded since the last days of the Roman Republic;—two attempts of the Commons to punish great and notorious delinquents baffled in the House of Lords;—the crash of falling thrones in India welcomed with delight by those who were carrying on a bloody war in Europe for prescriptive right and established domination;—in social life (nor let this be thought below the notice of the historian, as it illustrates the degradation and evil manners of the time) men and

<sup>1</sup> See Burke's recently published correspondence, (Works, letter, date 1796, ed. 1852), especially vol. ii. p. 325:—"The Catholics finding themselves outlawed by the Government, which has not only employed the arm of abused authority against them, but the violence of lawless insurrection." And his comment on the practice of flogging Catholic soldiers because they refused to attend Protestant worship:—"You remember with what indignation I heard of the scourging of the soldier at Carrick, for adhering to his religious opinions."—*Letter*, Dec., 1796, p. 347. "Whenever a hostile spirit on the part of Government is shown, the question assumes another form." "A man lashed to church against his conscience."—*Ibid.*, p. 349.

<sup>2</sup> Besides half hanging, a common punishment, hot pitch caps (I have heard this on conclusive authority) were put on the heads of the Irish peasants suspected of rebellion, and suddenly torn off. Probably scalping would have been more merciful.

<sup>3</sup> See "Cornwallis's Memoirs."

women of the highest birth encouraging, by abject submission, the amazing insolence of a frivolous, illiterate upstart, the son of a menial, and educated to be a menial himself;—profligacy (closely resembling that in the time of the Regent Orleans, and not, as that was, mitigated by wit, spirit, taste, or gentleness) encouraged by the example of the heir-apparent to the throne, and by two of his brethren—one of whom supported his mistress by allowing her to sell commissions in the army; the other of whom, afterwards a king actually resisted by his subjects, Germans though they were, did not in this country escape the imputation of the blackest and foulest crimes;—little manliness of character, little independence of thought;—metaphysics, the queen of sciences, the mistress and architect of the materials out of which the adamantine basis of morality must be constructed, absolutely unknown;—the most grovelling motives insisted upon in a text book for youth as the only sure support of virtue;<sup>1</sup>—the pursuit of wealth almost the only remaining indication that any power of thought remained among us;—deference to rank, authority, and riches, carried by men of liberal education and gentle blood to a pitch almost incredible;—expeditions<sup>2</sup> so ill contrived and ill conducted as to revive

<sup>1</sup> Paley's "Moral and Political Philosophy."

<sup>2</sup> Walcheren.

the memory of that to the Isle of Rhè, to bathe England in tears, and cover her councils and her arms with ridicule ;—a piratical attack on a weak, but high-minded and valiant nation,<sup>1</sup> sanctioned by the House of Commons, and vindicated by flippant gibes and venal eloquence ;—and at last, the country saved in spite of the folly of our rulers, not only by the incomparable valour of our soldiers and the military genius of a great captain, but by the judicial madness which, when the measure of his crimes was full, precipitated a mighty conqueror to destruction, and avenged the wrongs of prostrate Europe. Such are the characters presented by the history of England during the long reign of George the Third.

The most humiliating period of that reign, and, indeed, of English story since the time of Henry the Eighth—the period when the tone and habit of the public mind was most vulgar and degraded, when the higher classes were most contemptible, the middle most obsequious, and the feelings of the lower blackest and most ulcerated—the period compared with which the present age is almost great, and certainly respectable—is the regency of that son whom George the Third hated with more than a stepmother's hate, with a hate exceeding that of the Electress Sophia for George the First, that of George

<sup>1</sup> Capture of the Danish Fleet.

the First for George the Second, and even that of George the Second for Frederick Prince of Wales ; and who, to George the Third's disregard of truth, added the vices which that monarch had won the favour of conventional and domestic England by eschewing (unless he had some purpose in view which libertines could assist) with the most unfor- giving and ostentatious animosity.

The object of George the Third was to make his will as absolute in England as that of any German prince was over the boors and servile nobles in his dominions. Everything was to be drawn to his personal favour and inclination : ministers were not to look to the House of Commons, nor the House of Commons to the people—every tie of social affection and public trust was to be dissolved—parties were to be broken up—the great families were to be stripped, not only of the influence derived from the abilities and virtues of their representatives, but of that which property must always command in a free country. Nothing was to stand between the Crown and the populace. The Rockinghams, Grenvilles, Bedfords, Saviles, were to be reduced, so far as political authority was concerned, to the condition to which the nobles of Castile had been brought by Ximenes, and the French aristocracy by the third monarch of the house of Bourbon. The smile and favour of the sovereign were in the eighteenth



century to be the sole object to which an English gentleman, however ancient his lineage, however great his possessions, however splendid his abilities, however numerous his titles to the love and veneration of his countrymen, should aspire. They were to stand in lieu of all other qualifications: with them Bute, or Sandwich, or Barrington—a minion, a knave, a parasite—were to be omnipotent; without them Pitt, Grenville, Rockingham, Savile—probity, knowledge, station, genius—were to be ciphers. The king was to interfere directly and personally in all the affairs of government, from the highest to the lowest and most minute detail of office—from the choice of a prime minister to the appointment of an architect. Even Louis the Fourteenth, in the height of his power, had been kept somewhat in check by the dread of public opinion, and of the sneers of a keen-eyed and sarcastic race;<sup>1</sup> but in England, where duller men, rolling without respite in the mire of practical life, were hardened against wit and opinion, and looked only to what they could see, and touch, and count,—to the letter of the law, and the distribution of wealth and

<sup>1</sup> It is evident from St. Simon, that murmurs and criticisms were heard at Versailles, and even at Marli, and that

“La garde qui veille aux barrières du Louvre”

could no more save Louis the Fourteenth from the polished weapon of French irony in his life, than it could protect him against death.

power,—the sovereign, if he could once emancipate himself from the control of the aristocracy—I use the word in its widest sense—if he could succeed in reconciling the ends of arbitrary power to the forms of a free constitution, had no such restraint to apprehend. He would have no more to fear from gibes and epigrams than Amurath or Aurungzebe. But let me not be unjust. If George the Third had quite succeeded in this object, England would have had no reason to dread a repetition of the injuries she bore under the Tudors, and did not bear under the Stuarts : men's lives and properties, the honour of their wives and daughters, so far as the monarch was concerned, would have been safe. He would have been able at the end of his reign, like the Jewish prophet, to have called on those whom he had ruled to witness whose ox or whose ass he had taken, or whom he had defrauded—and he would have obeyed the law. He would neither have exacted a hundred pullets from a great lady, as the price of an interview with her husband, like King John ; nor have flung members of parliament into prison for their votes and speeches, like Charles the First ; nor have murdered them by bills of attainder, like Henry the Eighth. George the Third would not have imitated the debauchery of Augustus of Saxony, nor have allowed a courtesan to choose his ministers and generals, like Louis the Fifteenth ; nor

would he have run about the streets of his capital beating respectable women with his cane, like the father of Frederick the Great. The earnings of the labourer and the tradesman would not have been squandered on harlots, and men as infamous as harlots; but (and in no very lavish measure) on parasites, hypocrites, and dunces. He would have contented himself with exacting strict and absolute submission to his wishes in Church and State. He would have been satisfied if he could have excluded every glimmering of light from the moral horizon of England; if he could have guarded himself against the danger of admitting to his councils any man of greater abilities than his own; if he could have disposed of every place of importance in the kingdom to a series of beings like Lord Bute and Lord Sidmouth, and have brought this island to be the Goshen of lords of the bed-chamber and maids of honour—a flat, monotonous level of German servitude and repose. If he suffocated all political speculation, he would have promoted agriculture. If to inquire into the nature and destiny of the soul would have been perilous, investigations into irrational matter, into acids and alkalis, and the habits of molluscæ, topics in no way likely to cherish any love of independence, would have been secure, and perhaps encouraged. The example he gave of temperance was to the last hour of his rational life a public blessing.

Though, treading in the steps of his race, he was an unkind father, he was a faithful husband. The English pardoned much when they saw the virtues they most appreciate on the throne. About treaties and wars, about the comparative merits of North and Shelburne, of Pitt and Fox, they differed widely; but all grave and sober men agreed in paying a sincere and dutiful homage to the virtues which are the especial boast of England, and to which whatever is good among us is to be ascribed. They looked with terror on the unredeemed profligacy of the Prince of Wales; and on the dissipation—the result of a bad example and early habits—which obscured, though it could not stain, the generous nature and marvellous abilities of Charles Fox;<sup>1</sup> they forgot Lord Bute and the Princess Dowager; they forgot the king's intrigues and the American war; they cared not at all for the wrongs and sufferings of India; they stood by the minister he had chosen. In short, the besetting sin of George the Third was that which his nature and education made it hardly possible for him to avoid. Aristocracy, whether of wealth, of learning, of genius, or of station, was in his eyes a crime which the most implicit obedience, and servility the most abject, could hardly expiate, and which, if it deviated into a single indication of

<sup>1</sup> "His delights

Were dolphin like—they showed his back above  
The element they lived in."



independence, awakened in his narrow mind an antipathy that circumstances might oblige him for a time to conceal, but that no lapse of time, and no services, however great, could obliterate. There are, as the greatest of political writers<sup>1</sup> has told us, two elements which it ought to be the paramount object of him who aims at absolute authority to extinguish—high spirit and mutual trust. The war which George the Third waged against them was implacable, and, as many a sad page of our annals shows, only too successful. His hatred was in proportion to the abilities of its object; it was like that of Napoleon for Tacitus, and of Louis the Fourteenth for Fenélon. To conclude, the virtues of George the Third would have made a private man respectable, but he had no single quality that could make the king of a free people glorious.

It would, however, be unjust to attribute to George the Third all the evil consequences of the system he adopted. A detestable education, and the influence of a corrupted, dissembling woman, bent on power and greedy of money, had developed much that was evil, and in no way tended to fortify what was good, in a character that it must have required no common skill to refine, and incessant attention to ameliorate. Fenelon himself would hardly have been adequate to such a task; much less were Stone and the

<sup>1</sup> φρόνημά τε καὶ πίστις.—ARISTOTLE, πολ. v. 11.

Princess Dowager equal to it, even if they had endeavoured to correct defects that, on the contrary, they did their utmost to exasperate. It is evident that George the Third had been early and carefully taught the lesson which had proved fatal to the House of Stuart, and which at one time was on the point of being destructive to himself. Lord Harcourt, his governor, a courtier, but not without a sense of honour, resigned rather than witness what "he found himself unable to prevent." When Lord Harcourt was asked by the minister to assign the cause of his resignation, he replied that the reason was "too delicate to mention to any but the king himself," clearly pointing out the mother as the cause of the evil that he complained of. That mother, the Princess Dowager, was, in the opinion of all, high and low, of the best informed contemporary writers, as well as of the populace, before and after her husband's death,<sup>1</sup> the mistress of Lord Bute. To him she sacrificed, if some writers are to be believed, at least one rival.<sup>2</sup> To him she certainly sacrificed her reputation, and, what she valued more,

<sup>1</sup> "Frederick Prince of Wales used to say Bute was a fine showy man, who would make an excellent ambassador in a court where there was no business. Such was his Royal Highness's opinion of the noble lord's political abilities; but the sagacity of the Princess Dowager has discovered other accomplishments, of which the prince, her husband, may not have been perhaps the most competent judge."—*Waldegrave's Memoirs*, p. 38.

<sup>2</sup> Walpole writes, "Lord Talbot is made an earl (this happened under Bute's

her wealth. In order to strengthen her ascendancy over her eldest son, whom she despised, she excluded him as much as possible from all society, while she carefully instilled into his mind the arbitrary notions which were exemplified in the petty courts of Germany, and which were in speculation the cherished maxims of her paramour. These were the seeds sown, which fell on a most congenial soil, and soon sprang up into a bitter harvest.

No such prognostications, however, clouded the accession of George the Third to the throne, which

influence). The comments on this extraordinary promotion are a little licentious, but as I am not commentator enough to wrap them up in Latin, I shall leave them to future expounders." . . . "Lord Talbot is Lord Steward. My Lady Talbot, I suppose, would have found no charms in Cardinal Mazarin." . . . "The rest of the changes which have less mystery I shall reduce to a catalogue."—*Letter*, March 17, 1761. See "Glover's Memoirs."

"The putting Lord Talbot into the Duke of Rutland's place is believed to be the work of the Princess of Wales, of whom they speak with too much liberty."—*Translation of the Spanish Ambassador in London's Letter to Walpole*, March 27, 1761, *Chatham Correspondence*, vol. ii. p. 106.

"But a phenomenon that for some time occasioned more speculation than even the credit of the favourite, was the staff of Lord Steward being put into the hands of Lord Talbot, with the addition of an earldom. As neither gravity, rank, interest, abilities, nor morals could be adduced to countenance this strange exaltation, no wonder it caused very unfavourable comments. This lord was better known as a boxer and man of pleasure than in the light of a statesman. The Duchess of — had been publicly divorced from her lord on his account, and was not the only woman of fashion who lived openly with him as his mistress. . . . No wonder the promotion of such a man, in a reign that advertised piety, strengthened the suspicions already entertained of the sincerity of the court."—WALPOLE, *George III.*, vol. i. p. 47.

"The sober and conscientious part of mankind doubted, &c., nor were they much edified by rumours of a less serious nature, which were now universally credited."—*Character of George the Third, Waldegrave's Memoirs*, p. 53:



had become at last the undisputed inheritance of his race. All parties hastened to pay their homage to their youthful sovereign. The Whigs saw in his peaceful succession the triumph of the principles which they were willing to believe inseparable from the reign of a prince of the House of Brunswick. The Tories, long excluded from office, and strangers to the court, readily seized on the occasion to put aside ancient animosities, and, under the shelter of hereditary right, to recognise the fourth descendant and the third monarch of the line to which the nation had determined to submit. The Earl of Litchfield,<sup>1</sup> Sir Walter Bagot, and the principal Tories, went to court. Representatives of families whose names had not been heard at St. James's since the days when Harley and St. John stood aloof from each other in the presence of Queen Anne, and when in her ante-chamber Swift, irritable and gloomy, brooding over the approaching ruin of his hopes and the downfall of his party, scarcely deigned to receive the homage which the noblest of the noble and the fairest of the fair crowded round the poor and low-born master of a pen that weighed down the sword of Marlborough, to bestow. These auspicious omens were, however, but of short duration. In spite of the enthusiastic

<sup>1</sup> "I called upon — at eight to go to the cockpit, where we found such a crowd, especially of the old Tories, that with much difficulty we got up stairs." *Rockingham Memoirs*.



loyalty which hailed the advent of George the Third to the throne of England, many signs soon began to portend a dark and stormy reign. The sky soon became full of evil prognostics. In conformity with the doctrines which he had imbibed George the Third exhibited, and indeed proclaimed, a settled purpose to annihilate every species of influence but that which depended on his own power, and to give the mere will of the sovereign that influence which it had been the great object of the Revolution to destroy. That offices which immediately concern the common weal shall not be filled by the mere will and caprice of the sovereign is the very criterion of a free government.<sup>1</sup> Wealth, popularity, services, descent, eloquence, all these ingredients of power in free countries were now, however, to be obstacles to trust and influence, as those who possessed them might rely on something besides court favour for their importance. The royal prerogative was to break out as from a cloud. That kings dislike all eminence,<sup>2</sup> and that virtue is more an object of suspicion to them than vice, is an old remark; and this truth, so confirmed by history,

<sup>1</sup> "Tutte (cariche) sono infami che un solo puo togliere e dare."—ALFIERI, *Il Principe e le Lettere*, lib. iii. c. 8.

<sup>2</sup> Mr. Burke said kings are lovers of low company. Aristotle (*πολ.*, lib. v. 11) said, Πονηρόφιλον ἢ τυραννίς κολακευόμενοι γὰρ χαίρουσιν. And what accounts for the favour shown to the Sandwiches and Rigbys? *χρηστοὶ δ' πονηροὶ εἰς τὰ πονηρά.*

was never more exemplified than during the reign of George the Third. He hated Lord Chatham; he detested Charles Fox; he disliked the second Pitt; he could not endure Lord Grenville. Really superstitious, and professing the most extreme devotion, the most profligate libertines of the age, if they could be subservient to his views—such as the Duke of Queensberry, Lord Pembroke, Lord Talbot, George Selwyn, Sir Francis Dashwood, Lord Sandwich, and Henry Fox—were welcome to him; while for George Grenville and the first Pitt, men whose character in private life was blameless, and who were moreover eminent for unaffected piety, he cherished an antipathy that overcame even his carefully cultivated powers of habitual dissimulation. The scheme of establishing his power on the ruins of our constitution, and of making himself as absolute as Charles the Second wished to be, and for a time was—a scheme which, in fact, if kings could commit treason, was treason against the common weal—George the Third steadily and systematically acted upon; and if he was compelled in some emergencies apparently to abandon it, he never for a moment lost the thought of it in his heart. Trained from his cradle to deceit, and very indifferent to truth, he made use of specious commonplaces to mislead those around him, and to give faith in his support to the very ministers whom it was his dearest wish and fixed

resolution to overthrow. The first words uttered by him after he was king of England were an appropriate prologue to his reign. They were a falsehood. He was riding when the signal of his grandfather's death, agreed upon between him and some menial at the palace, was conveyed to him. Turning his horse's head towards Kew, he said to his groom, "I say this horse is lame, and I forbid you to say the contrary." He was still unmarried. George the Second, from wise and benevolent motives, had been anxious to see his heir married before his death, and with that view had proposed the hand of a princess of Brunswick, Wolfenbuttle, a beautiful and highly accomplished lady, to his grandson. The Princess Dowager, however, true to her system, and determined that her son should have no wife but of her choosing, interfered successfully to thwart this project. Lord Waldegrave's remark on this transaction deserves to be quoted, as well from its intrinsic value, and as it shows the notoriety of the relation in which Lord Bute stood to the Princess (the cause of so many calamities to this country<sup>1</sup>), as because it has carefully been kept back by the optimists who have undertaken to write the history of this humiliating epoch of English story : for these reasons, notwithstanding

<sup>1</sup> "Fuit ante Helenam," is Lord Chesterfield's pithy comment on Lord Bute's power.

the familiar tone in which it is written, it ought to find a place in the text of the narrative. "Here," that is, in sending for the Prince of Wales on occasion of the proposed marriage, "his Majesty was guilty of a very capital mistake; instead of sending for the Prince he should have spoken firmly to the mother,—told her that as she governed her son she should be answerable for his conduct; that he would overlook what had past and treat her like a friend, if she behaved in a proper manner; but, on the other hand, if either herself, her son, or any person connected with them, should give any future disturbance, she should expect no quarter. He might then have ended his admonition by whispering a word in her ear that would have made her tremble."

Before the ashes of George the Second were cold,<sup>1</sup> two circumstances disclosed the spirit and policy of his successor: one, the favour shown to Lord George Sackville, a strict friend of Lord Bute's, who had dishonoured the English name at Minden, and was, at the close of the last reign, in a state of just and complete disgrace; the other, the terms of the speech, and the minister by whom it was prepared. The first act of the king had been to put Lord Bute

<sup>1</sup> "I never wish to see again such a scene of destruction and ruin laid by faction before the ashes of the late king were cold. I mean, by the servants of the Crown combining with the new influences to subvert the then system."—*W. Pitt, Chatham Correspondence*, vol. ii. p. 360.



in the cabinet.<sup>1</sup> The speech was drawn by him without any assistance from the other advisers of the Crown, and spoke with a purpose not to be mistaken of a bloody and expensive war, and of obtaining a just and honourable peace. In this state it was delivered to his colleagues, and it was not till after an argument of three hours with Lord Bute that Mr. Pitt succeeded in changing the words so far as not to cast a direct censure on his policy. Mr. Pitt must have been destitute of all penetration if he had not discovered the spirit and complexion of the new reign. He went to Newcastle, and urged him to make common cause against the favourite. Newcastle, impatient to shake off the yoke of Pitt's imposing genius, with his usual baseness and pusillanimous cunning refused to take this course; and thus George the Third was almost enabled to establish royal power at once on the ruins of English honour and prosperity. Newcastle, indeed, affected a wish to retire from public life; but a few words, of course, from George the Third, whose schemes—though Newcastle's ultimate removal from office was essential to them—were not yet mature, induced him to remain and to drag his unrespected age through courts and antechambers, till he was finally pushed off the stage by his insolent and

<sup>1</sup> Nobody could have blamed his being made a Privy Councillor, which some writers defend at great length.

successful rival. Much has been said of the expression inserted in the speech, and alluding to the fact that, unlike his father and grandfather, George the Third was born within the precincts of this island. But no notice that I recollect has been taken of the scandalously servile reply—the result, no doubt, of Lord Bute's dictation—made to the speech by the House of Lords. "What a lustre does it cast upon the name of Briton when you, Sir, are pleased to esteem it among your glories." Strange language for a powerful aristocracy in a free country, still reckoning Howard, Berkeley, Somerset, Nevile, Seymour, Cavendish, Stanley among its technically noble; Bagot, Harcourt, Wrottesley, Dering, Shirley, Courtenay among its unennobled members! Stranger still, for the countrymen of Shakespeare and Hampden, of Raleigh, Blake, and Marlborough, of Edward the Third, Elizabeth, and Cromwell, to use to an ignorant, dishonest, obstinate, narrow-minded boy, at that very moment the tool of an adulteress and her paramour! Such was the lesson of our judicial and ghostly teachers—of Neale and Laud, of Finch and Fleming. Very different from that which Athens was taught by Solon, and Sparta by Lycurgus. So positively servile, in spite of all that laws and institutions can do, is the Teutonic genius, and so true is the remark of Mr. Burke, that he must have observed

little of manners who does not know that peers are too apt, forgetful of their proper dignity, to run headlong into an abject servitude.

A measure was passed in the king's first Parliament which has been the fruitful topic of ridiculous adulation. The judges at this time held their offices on good behaviour, or until the demise of the Crown. George the Third recommended that they should hold their offices though the king should die—a proposal by which, after the first days of his reign, he sacrificed not the smallest amount of patronage. This, however, was magnified by servile courtiers and venal writers, into the merit of having made the judges independent. By such unmeaning phraseology is the English public invariably misled. It never stops to inquire into the meaning of an established phrase, but perseveres in repeating the sound that has become familiar to it from one generation to another. A stronger example of this propensity can hardly be found than the instance I have quoted. Nothing of importance was transacted this session, beyond fixing the supplies and the civil list. The supplies amounted to what was then considered the enormous sum of £9,616,119; The civil list was fixed at £800,000 a year, a provision that soon became inadequate to the clandestine purposes of George the Third, and for the purchase of the mercenary dependants, on the support of whom his



unconstitutional proceedings obliged him to depend. After these votes Parliament was dissolved.

Before the new Parliament had met, the veil, thin as it was, held over the purposes of the court, had been rent away.<sup>1</sup> A plan which had been suggested by Lord Bute to his satellite Dodington,<sup>2</sup> and from which even that type of all that was politically base recoiled, was finally acted upon. Lord Holdernessee, the Secretary, was ordered to affect a quarrel and to resign. He retired with a large pension, and the reversion of the wardenship of the Cinque Ports, as the price of his Oriental docility. Lord Bute succeeded to his office. Another measure equally marked the ascendancy of the favourite, and the implacable nature of the king. Mr. Legge, the ablest financial minister of the day, was contumaciously

<sup>1</sup> As to the intrigues of Lord Bute, see "*Dodington's Diary*," especially Nov. 22, Dec. 20, and Jan. 2. "Lord Bute came and said he was sure the ministry had some idea of getting off our system, by setting up that of abandoning Hanover, and of supplying the money to distress France into a peace; that they would, by their popularity, force this measure on the king. . . . For my part, I think they (the ministers) will continue the war as long as they can, and keep in, when it is over, as long as they can—and that will be as long as they please, if they are suffered to make peace. All which can never end well for the king and Lord Bute. We agreed upon getting runners, and to settle what he would disperse."

<sup>2</sup> "Lord Bute came to me by appointment, and stayed a great while. I pressed him much to take the Secretary's office, and provide otherwise for Lord Holdernessee. He hesitated, and then said if that was the only difficulty it could easily be removed, for Lord Holdernessee was ready at his desire to quarrel with his fellow ministers, . . . and go to the king, and throw up, in seeming anger; and then he (Bute) might come in without seeming to displace anybody. I own the expedient did not please me."—*Dodington's Diary*, Nov. 29.



dismissed from office in revenge for his refusal during the last reign to do an act which would have made him infamous. He was ordered to withdraw from the friends who had brought him forward as candidate for Hampshire, and to transfer his family interest to a cousin of Lord Bute's. This he refused to do, and in consequence his place was now vindictively taken away, with every circumstance—including a speech of George the Third's, which no well-bred man would have made to his servant—that could aggravate such a mortification. He was succeeded by Lord Barrington, from whom no mark of spirit or independence was to be apprehended. Charles Townshend was appointed Secretary of War. Pitt was treated with marked neglect. On the very day of the new king's accession he had spoken to Lord Bute in language as dignified as it was sincere. He told the shallow upstart in plain terms that his advancement to the management of the affairs of the country would not be for his Majesty's service.<sup>1</sup> George the Third was determined to get rid of a man so intractable at all events.<sup>2</sup> Pitt saw this clearly, and he saw that his great and noble scheme for recovering the opportunity flung away at the Peace of Utrecht by the corruption and wickedness of Queen Anne's Jacobite

<sup>1</sup> "Rockingham Memoirs," vol. i. p. 150.

<sup>2</sup> Even Bute said "the king went too fast." These are the Duke of Newcastle's words—"Turno tempus erit."—*Ibid.*, p. 29.

ministers, and of circumscribing the power of France within such limits as might render her less formidable to the tranquillity of Europe, was at an end. Negotiations for a separate peace had been entered upon soon after the close of the last campaign, and it was intended that a separate treaty between France and England should supersede that by which matters in difference on the Continent were to be adjusted. With this view M. de Bussy had been accredited to the court of London, and Mr. Stanley to that of Versailles. The general congress was to be held at Augsburg. But before the preliminary discussions of the treaty between France and England had closed, Mr. Pitt inflicted a signal humiliation upon France by the capture of Belleisle. The scheme had been concerted before the death of the late king, and the policy of George the Third and Lord Bute could not blight this enterprise. The conquest, much to the vexation of the English court, was achieved by Commodore Keppel and Major-General Hodgson; and thus a security was provided for the recovery of Minorca, which it was beyond the reach of ordinary corruption and incapacity to destroy.

The exultation at this success was great throughout the land, and the prospect of a peace dictated by this country to her humbled foe immediate. When unable to counteract the mischievous policy of the

court, or to struggle any longer against Lord Bute's ascendancy, Mr. Pitt retired from office. The cause of this resignation was as honourable to himself as it was disgraceful to his colleagues. In order to understand his conduct it will be necessary to turn our eyes for a short time from domestic politics, and to take a view of the relations between the courts of Versailles and of Madrid. On the 25th March, 1761, it had been agreed that a congress should be held at Augsburg. The French proposals had been sent to London, and the counter declarations of Prussia and of England to Paris. It had been agreed as a preliminary that the question of America should be treated between France and England as exclusively their own—a masterpiece of policy, which shows that Mr. Pitt's genius for diplomacy was equal to his great qualities as a minister of war. England,<sup>1</sup> victorious in America, with such a man at the head of her councils, backed by a nation confident in her strength and aspiring to still more splendid triumphs, must, it was clear, give the law to France, driven out of the New World, on the verge of bankruptcy, and governed by a minister like Choiseul, certainly not destitute of talent and capacity, but careless, petulant, and fond of pleasure. Therefore, after having agreed to the cession of

<sup>1</sup> La Fuente, "Historia General de España," Parte III. l. viii., vol. xx. c. ii. p. 37.

Canada, of Senegal, and of Goree, the cabinet of Versailles underwent the mortification of finding her offers haughtily rejected by Great Britain (May, 1761). Choiseul in this extremity turned his eyes to Spain. On the death of his brother, Ferdinand the Sixth (August, 1759), Charles the Third,<sup>1</sup> an excellent man, who deserves a much higher praise than that of the best and most amiable of European rulers in the century during which he lived, had left the throne of Naples to fill that of Spain. To the English nation, ever since their Admiral,<sup>2</sup> under the threat of bombarding Naples, had obliged him within an hour to agree to a strict neutrality in the contest then going on between the English and his brother, he bore a deep antipathy. It grieved his generous and sensitive nature to see the English carrying on a contraband trade with the Indies, taking possession of the Spanish territories on the coast of Honduras, excluding the Spaniards from the right of fishing on Newfoundland, and firmly established in one of the strongest fortresses in their own peninsula. Moreover he was proud of his lineage, deeply attached to the French branch of the great Bourbon race, and had shown on all occasions a strong interest in their prosperity. Choiseul took advantage of these inclinations to engage the Spanish

<sup>1</sup> At Naples he was Charles the Seventh.

<sup>2</sup> 20th August, 1742. La Fuente, "Historia," vol. xix. p. 199.



monarch in his cause. In vain the Marquis Tanucci,<sup>1</sup> his former minister at Naples, and Masoñes de Lima, his ambassador at Paris, endeavoured to resist the bias of his disposition. The perpetual entreaties of the French minister, pointing out the misfortunes of his country, the danger to which the unbalanced strength of England must expose all the maritime powers, and the glory that the House of Bourbon must acquire by combining to resist these arrogant enemies, triumphed over all their representations. The Marquis of Grimaldi was accordingly sent minister to Paris. A secret engagement, the forerunner of the famous family compact, was entered into between Wall, the Spanish minister, and Choiseul; and the latter, by mixing artfully the demands of Spain with those of France in the negociation then going on in London, bound up Spain indissolubly with the cause of France. Thus the French minister's pretended advances to peace, were, in fact, nothing but means for a new war. In conformity with this scheme Bussy presented a memorial to Mr. Pitt, enforcing the claims of the King of Spain on England. They were three: the restoration of some Spanish ships, seized for carrying contraband goods; the right of fishing in Newfoundland; and the demolition of the English forts in Honduras Bay. If England refused to

<sup>1</sup> La Fuente, "Hist. Gen. de España," Parte III. l. viii., vol. xx. c. ii. p. 43.

satisfy Spain on all or any of these points, and Spain should in consequence declare war against England, the French king, said Bussy, would think himself bound to assist his Catholic Majesty. To exaggerate the insolence of such a proceeding was impossible. It was without precedent in diplomatic history. A power with which we were at peace enforces its claims by the support of a power with which we were actually at war. It did not require the pride and genius of Mr. Pitt, but simply the feelings of a minister not utterly callous to the honour of his country, to resent so gross a provocation. Mr. Pitt immediately returned the paper, and not content with demanding in his turn the absolute cession of Canada, Senegal, and Goree, the restoration of all the French conquests in the Indies and in Europe, the demolition of Dunkirk, and the immediate evacuation of Nieuport, Ostend, and the King of Prussia's territories, he sternly told the French envoy that he must not presume to intermeddle in the disputes between Spain and England. Spain had already interfered in behalf of France. It was evident to the great commoner that the two branches of the House of Bourbon were about to join in a common cause.<sup>1</sup> Private intelligence corroborated

<sup>1</sup> Thus when the French propositions for peace were made, France was sure of the assistance of Spain, and determined to carry on the war. Conceal, wrote Choiseul to Bussy, till the last moment, our alliance with Spain—"Il ne fallait

his suspicions. He took his resolution with characteristic energy and promptitude. He insisted that a fleet of twelve or fourteen ships should be sent at once to Cadiz. That Lord Bristol, our minister in Spain, should require a direct disavowal of Bussy's conduct from the Spanish minister, and an immediate explanation of the armaments preparing in the Spanish ports, and if he failed in obtaining an explicit answer to his demands, that he should quit Spain without delay. He recalled Hans Stanley, and dismissed Bussy. He assembled the cabinet, laid before them the communication he had received, and urged the necessity of striking a blow at once by declaring war against Spain, before her galleons had entered her harbours, and before her preparations were complete. He placed a daring and well-

pas donner une alarme prématurée à l'Angleterre et l'avertir indiscretement de se tenir sur ses gardes contre la déclaration de guerre de L'Espagne, qu'il faut au contraire disait M. de Choiseul dissimuler d'autant plus qu'elle sera plus prochaine."—FLASSAN, *Hist. de la Dipl. Française*, vol. vi. p. 406. This was the scheme against which Pitt had to fight, and which, so far as it depended on him he baffled, but which Lord Bute enabled to succeed.

The King of Spain said to Tanucci, "Si Pitt quiere romper—rompa—y era así que Pitt, queria romper porque Pitt habia traslucido la convencion secreta entre los gabinetes de Madrid y Versailles, . . . la subita retirada de Pitt permitio a España alquier respiro y le dió tiempo para prepararse."—LA FUENTE, vol. xx. p. 44.

<sup>1</sup> Pitt communicated what he knew to Bute, Sept. 2. Stanley wrote saying he had seen an article drawn up between France and Spain.—*Ch. Corr.*, vol. ii. p. 140.

August 13, Grimaldi wrote, "The fear of our court, which is not ill-founded, is for the fleet. They want to gain time till she is arrived at Cadiz."—*Ibid.*, p. 143.

"I have seen," says Stanley, "some of De Bussy's letters; he knows more than he ought."—*Ibid.*, p. 141.



considered plan of operations before the cabinet. But his efforts were in vain. The treacherous Newcastle, the wrong-headed Bedford, the pettifogging Hardwicke, Grenville, now in his decrepitude, played the game of Bute and the Princess Dowager. At three separate councils he endeavoured to inspire his colleagues with his own ardour, and at the third, finding his brother-in-law, Lord Temple, the only supporter of his measures, he flung up his office, declaring that he would no longer be responsible for measures that he was not allowed to direct<sup>1</sup>—language that has been censured for arrogance, but that was strictly constitutional in the mouth of a Secretary of State, thwarted by his colleagues in a most important measure, concerning exclusively his own department, and meaning only that it is the duty of a minister who differs with the rest of the cabinet on any question admitting of no compromise, to resign. In the meantime the King of Spain had

<sup>1</sup> As Lord Temple truly says, "It was a difference of opinion in a capital measure relative to Spain."—*Grenville Papers*, vol. i. p. 404.

Jenkinson writes, "In the council to-day Mr. Pitt declared his resolution to resign. He did it in as calm a manner as he was able, and said that he would not continue a minister of the king's without having the direction of his affairs. He thanked the old ministry for their civility to him; seeming by that particularly to except Lord B."—*Ibid.*, p. 391. The sycophant adds, "Thank God, he (Lord Bute) is quite calm on the occasion." Lord Bute himself calls Grenville "dear George" in his letters, twice; says he sent him out of town, foreseeing what would happen; and proceeds, "I own to you so impossible have I found it to go on, for some time past, with any hopes of success, that I should have thought it necessary for our sovereign to go with the new ministry, though untried, inexperienced men; but," &c.



assured Choiseul that the only motive for his delay in making common cause with France was his anxiety for the fleet of the Indies,<sup>1</sup> which was not expected at Cadiz till the beginning of October. Twelve ships of war had been sent from different ports of Spain on different pretexts, but in reality to serve as a convoy to the galleons. Lord Bristol, in conformity with his instructions from Mr. Pitt, had informed the court of Madrid that the interference of France could in no way serve to adjust the matters in difference between Spain and England. That as to the fishery in Newfoundland, no concession whatever could be made, but that on the other points of dispute, there would be little difficulty in coming to an accommodation ; at the same time, Lord Bristol demanded an explanation of the extraordinary measures in the ports of Spain : whether Spain was about to contract any new league with France ; and a distinct answer to the question whether the King of Spain recognised the proceeding of Bussy. The answers of Spain were at first evasive. But at length Wall told the English ambassador that Bussy had presented the memorial, with the full sanction of his master the King of Spain ; that he adhered fully to the demands that it contained ; and that with reference to the union of France and Spain, no third power had the right

<sup>1</sup> Flassan, "*Histoire de la Diplomatie Française*," tom. vi. p. 314.

to prevent the two monarchs of the House of Bourbon from giving each other mutual proofs of amity and good will. This firm and dignified reply was followed by the signature of the family compact, the great triumph of Choiseul, on the 25th August, 1762, but which, if it proved his dexterity, bore testimony still more convincing and irresistible to the penetration and genius of the great English minister. The basis of the treaty was a league offensive and defensive between the two crowns against all enemies. It was stipulated that the interests of both nations should be considered as if they were not two, but one. That no proposition of peace should be received unless with the consent of both parties; and that the treaty should extend to the other two rulers of the House of Bourbon, the King of Naples and the Duke of Parma. "It is difficult to say," remarks a competent and well-informed contemporary, speaking of Mr. Pitt's resignation, "which exulted most—France, Spain, or Lord Bute—at this event."

In the meantime the king gave a proof of his blind deference to his mother's wishes, which took all men by surprise. While every thought was occupied by the negociation, the Privy Council was suddenly summoned to hear the king announce his intended marriage with the Princess Charlotte of Mecklenburgh Strelitz, which soon afterwards took place.

Colonel Græme,<sup>1</sup> a notorious Jacobite agent, had been sent to different states in Germany, to discover among the little states of that enslaved country some Princess whose appearance, disposition, and understanding would be to the mother of her future husband a complete guarantee against any dread of the loss of her ascendancy. For this purpose a better choice could hardly have been made. The new queen was chaste; but if to watch over the education of her children and to promote their happiness be any part of a woman's duty, she has little claims to the praises that have been so lavishly bestowed upon her as the model of domestic virtue. Her religion was displayed in the scrupulous observance of external forms. Repulsive in her aspect, grovelling in her instincts, sordid in her habits; steeped from the cradle in the stupid pride which was the atmosphere of her stolid and most insignificant race; inexorably severe to those who yielded to temptations from which she was protected, not more by her situation and the vigilance of those around her, than by the extreme homeliness of her person; bigoted, avaricious, unamiable to brutality, she added dulness and gloom even to the English court. The marriage was precipitated to prevent

<sup>1</sup> David Hume said to him, "I congratulate you, Colonel Græme, on having exchanged the dangerous employment of making kings, for the more lucrative one of making queens."

George the Third from again soliciting the hand of a lady of a sweet and generous temper,<sup>1</sup> one of the noblest and most beautiful of his subjects, who, by a lot the reverse of that which attended the royal bride, became the mother of a distinguished, high-minded, and intellectual race—especially illustrious for two highly gifted men, in whose destiny it was, both by the pen and the sword, by the qualities which fit men to lead in war and to rule in peace, by heroic courage and commanding genius, to exalt the fame and extend the dominion of their proud but not very grateful country.

Before this event happened, Parliament had met, and after a just tribute to the merit of Mr. Onslow, who had filled the chair of the House for thirty-three years with an unblemished reputation, elected, under the auspices of Lord Bute, a gentleman of amiable manners and blameless life, but almost entirely recommended by his Tory principles—Sir John Cust—as Speaker.<sup>2</sup> Mr. Pitt, on whom all eyes were turned, rose to speak on the address in answer to the speech, which declared the fixed resolution of the king to carry on the war in the most effectual manner for the advantage of the kingdom, and to maintain the good faith and honour of the Crown, by adhering firmly to our engagements with our allies,

<sup>1</sup> Lady Sarah Lennox.

<sup>2</sup> It had been offered to Mr. Prowse, who refused it.



and to persevere until our enemies should yield to the equitable conditions of an honourable peace. Mr. Pitt's speech, guarded and temperate, was yet in the tone of suppressed alarm and indignation, which not only the treatment of himself, but all he had seen of the proceedings of George the Third and his advisers, could hardly fail to inspire. As his Majesty had adopted sentiments contrary to his own, he could hardly wish, he said, that the bulk of the nation should be on his side. The probability was that he was himself in error. Nothing as yet disclosed to the House proved the motives on which his advice for an immediate war with Spain was founded. He hoped the post would not depart without one word from ministers in favour of carrying on the war in Germany. How could they advise vigour in the speech from the throne, and yet be silent when vigorous measures were assailed. He had been robbed of his sleep for many days, and should be robbed of his honour if the troops were recalled from Germany. The war in Germany prevented invasion. The way to peace was not to lessen our exertions. England was equal to both wars, the American and the German ; if carried on, nothing but conquest would follow ; but if we abandoned our allies, God would abandon us. Were we to lose the fruit of our efforts which we had spent a hundred millions to obtain, rather than spend

twelve more? The man who could give such advice was only fit to stand behind a counter. America had been conquered in Germany. Prince Ferdinand had been the saviour of Europe, and had shattered the military power of France. It was not from what had been said against the German war, but from what had not been said for it, that he augured ill for England. Government, he hoped, would in time lay open the proceedings of Spain. Let Parliament see the whole negociation, let them see his patience and long-suffering. He had stated his opinion in writing lest false whispers, from those who ought to be above such underhand malice, might prejudice him in the eyes of his countrymen. From delicacy rather than positive duty, he would not divulge what had passed; nay, he would persuade gentlemen not to be too fastidious in their criticisms on the treasury and the budget. As to the fisheries (Beckford had dwelt on this point), he had been overborne by numbers. He and Lord Temple would have made exclusive fisheries the *sine quâ non* of peace. Were the negociation to commence, he would stand for exclusive fisheries, nor sheath the sword till they were given up. Then, with a slight remark upon a verbal communication from Fuentes, the Spanish ambassador, of which he said, "I did not much attend to it; I said I had written to Lord Bristol and would let it rest there,"—the great orator sat down. To this speech

no answer was delivered. Mr. Grenville said a few words, which were soon refuted by the event, as to the pacific intentions of Spain. The address passed without a negative. The queen's dowry was voted; so were the supplies for the current year, amounting to £18,000,000, £12,000,000 of which were raised by annuities, chargeable on the sinking fund, and Parliament was adjourned.

In the interview with the king, when Mr. Pitt resigned the seals of office, he was unable to resist the royal artifice and blandishments by which he was assailed; the plan which had been carefully contrived for his ruin was well-nigh successful. The orator who had triumphed over corruption in the days of Young and Dodington, the statesman whose name was a spell which paralysed the enemies of England, was unmanned by his emotions at a few civil words uttered by the royal hypocrite, who, as he well knew, had sacrificed him and the renown of the country he had made so great, to an unworthy favourite. Well would it be for the fame of Mr. Pitt if the words he then uttered could be blotted out of our records, and if the event by which they were followed could be consigned to forgetfulness. But it is the duty of the historian to relate the failings as well as the virtues, the unworthy as well as the noble actions, of the very few who deserve the name of great.

After the king, acting at the special and earnest instigation of his mother and Lord Bute, had, in order to destroy his popularity, made Mr. Pitt an offer of rewards and titles, he burst into tears. "I confess, Sire," he said, "I had but too much reason to expect your Majesty's displeasure; I did not come prepared for this exceeding goodness. Pardon me, Sire, it oppresses—it overpowers me." Perhaps English history does not exhibit a spectacle more mortifying to a lover of his country, than William Pitt weeping because a little money and a tawdry title had been offered to him, at the feet of George the Third. We do not read that Demosthenes wept, though Æschines says he was confused, in the presence of Philip, or Cicero in that of Cæsar. Yet the Englishman approached far more nearly to these illustrious men than George the Third to their antagonists; and the blow which the English monarch levelled at the reputation of the man he feared and hated was far more deadly, as it was more insidious, than any which they had the opportunity to inflict. Pitt fell into the snare, accepted a pension of £3,000 a year for himself, and a title for his wife. The object of the court was gained, and Bute hastened to proclaim his triumph. The very next night's *Gazette* that announced Pitt's resignation, announced also, by a notice without precedent, the price for which he had been induced to blemish



a reputation, up to that unhappy moment, without a stain.

Yet even this error could not overthrow the affection of the English for their darling minister. There was a violent burst of indignation, but it soon subsided. Pitt wrote a haughty letter to Beckford,<sup>1</sup> which had a prodigious effect; it appeared in the *Public Ledger*—three thousand copies of it sold before noon. “The City,” says the hardened Rigby, “is all fire and flame. Mr. Pitt’s letter has brought back all his old friends.” The designs of the court and the incapacity of ministers were indeed so apparent, that all men’s eyes turned again in anxiety and distress to the quarter where they had so often and never vainly been directed. When Mr. Pitt, a few weeks after his resignation, went to the Guildhall on the Lord Mayor’s day, he was welcomed with every mark of enthusiastic admiration. Lord Bute narrowly escaped destruction from the hatred of the people,<sup>2</sup> and the king and queen were almost unnoticed—a lesson pregnant with instruction, had George the Third been capable of turning such a warning to account. The wretched Duke of New-

<sup>1</sup> “Chatham Correspondence,” vol. ii. p. 158.

<sup>2</sup> See “Nuthall’s Letter,” vol. ii. p. 166. Speaking of the meeting of Parliament, Nov. 25, 1762, a writer says, “Such a mob was perhaps never seen in our time betwixt Charing Cross and Westminster Hall. . . . Lord Bute was insulted both going and coming from the House; and in the evening some soldiers were called in to support the constables.”—*Chatham Correspondence*, vol. ii. p. 194.

castle had been delighted with the success of the intrigue which removed Mr. Pitt from office ;<sup>1</sup> but he soon found that he had little reason for exultation. True to his nature, the Earl of Bute, now declared First Minister, heaped upon the old man every mark of insult and contempt. The seals of Mr. Pitt's office were given to Lord Egremont, son of the celebrated Sir W. Wyndham ; and George Grenville—who had married Lord Egremont's sister—the brother of Lord Temple, and brother-in-law of Mr. Pitt, was, with the post of Secretary of State, appointed the new leader of the House of Commons.

Plodding and methodical, versed in all the forms of the House,<sup>2</sup> possessed of great knowledge of busi-

<sup>1</sup> "I never saw the duke in higher spirits than after Pitt had given notice of resignation."—*Sir E. Colebrooke, quoted by Sir Denis Le Marchant in a note to WALPOLE'S Memoirs of George III.* Lord Talbot advised the duke not to die of pleasure on the Monday, nor of fright on the Tuesday, Oct. 7, 1761. See the duke's letter to Mr. Grenville, "*Grenville Papers*," vol. i. p. 393. "I must see Lord Bute before I see the king, as I hope the great affair will be settled, and that I shall receive the king's orders to prepare the instruments this morning." At this very moment Lord Bute was describing the wretched creature to Mr. Grenville as "a crazy old man, deserving immediate punishment."—*Ibid.*, p. 395. "Detail of Newcastle's conduct in last reign—odious in his (Bute's) opinion."—*Ibid.*, p. 396. "Had certain information that Newcastle would resign when called upon ; thought it better to let the old man tide over a year or two of political life." This letter was taken to Mr. Grenville by one of Lord Bute's agents, Mr. Elliott, who had orders after he had read it to Mr. Grenville to take it back again, which he did ; "but Mr. Grenville made Mrs. Grenville set down the heads of it immediately, which he repeated to her."—*Ibid.*, p. 412.

<sup>2</sup> "Mr. Grenville is universally able in the whole business of the House, and, after Mr. Murray and Mr. Fox, is undoubtedly one of the best parliament men in the House."—*Pitt's Letter to Newcastle, Chatham Correspondence*, vol. i. p. 106.

ness, and considerable talent for debate, writing the sound idiomatic English, of which so few traces now remain, with vigour and perspicuity, Mr. Grenville was in many respects qualified for such a task. His pride was great, and his ambition ardent. Terrified, perhaps, by what he considered the reckless profusion of public money by Mr. Pitt, dazzled certainly by the lure held out to him by Lord Bute, he accepted office, lending himself to the intrigues of the court, of which he soon became the victim, and abandoning his own connections—an injury which Mr. Pitt never forgave, and which was long resented with great bitterness by Lord Temple, and the other members of his family.

The intrigues by which this state of things was brought about deserve the attention of the reader, not only because they fling light upon the future events of this disastrous reign, but because they clearly prove the character of those by whom the youthful sovereign was governed. The web had been elaborately ravelled. No one at the accession of George the Third supposed that Mr. Grenville could ever be brought into rivalry with Mr. Pitt. But he was carefully sought out by Lord Bute for the express purpose of weakening that minister's influence, and of establishing a precedent for breaking up all that was solid and respectable in party connection. The agent of Lord Bute in this intrigue



was Mr. Charles Jenkinson, afterwards Earl of Liverpool, who was originally employed still more disgracefully in that which his patron carried on with the Princess Dowager, and thereby laid the foundations of his fortune. A more pliant instrument, a man better fitted to prosper by dark underhand intrigue, or to keep up a back-stairs' influence, and to list a mercenary body together under the name of king's friends, against the government, could not, even in that period, have been selected. Accordingly, in the recently published volumes,<sup>1</sup> which are so important as a clue to the labyrinth of these double and triple intrigues, we find Jenkinson a busy agent. He expresses his regret at the success of our great ally the King of Prussia. He flings out insinuations against Mr. Pitt. He declares himself "in love" with Lord Bute. Another very striking circumstance, as it shows how completely George the Third could throw aside, when it suited his purpose, all the religious and moral scruples of which he continually made such a parade, is Lord Bute's declaration as to Mr. Fox. That politician's name having been mentioned by Mr. Grenville as that of a person whom it had been thought important, rather by others than himself, to secure in the league against Mr. Pitt, Lord Bute declared that the king's aversion to so wicked a man was insurmountable, and desired

<sup>1</sup> The "Grenville Papers." The editor's work is admirably well done.



that his name might never be mentioned in the hearing of the pious monarch. In less than six months from this time we find George the Third, in the pursuit of his single object—the removal of every man from power, independent from station, abilities, or integrity—endeavouring to supplant Lord Egremont, and to give Mr. Fox his place ; and assigning a reason which might have enabled the great French dramatist to add a line to his inimitable picture of a finished hypocrite—“ We must have bad men to govern bad men.”

## CHAPTER II.

THE change of ministers was no sooner known than the tone of the Spanish court was altered.<sup>1</sup> The pacific assurances<sup>2</sup> which for awhile had imposed upon Lord Bristol were exchanged for peremptory demands of reparation. All explanation of the treaty between Spain and France was haughtily refused. The ambassadors were recalled by their respective courts, and a declaration of war was published nearly at the same time by the courts of London and Madrid.<sup>3</sup>

<sup>1</sup> La Fuente says the answers of the Spanish minister, Wall, seemed no longer those of the same man. "No parecían de aquel mismo hombre."—*Hist. Gen. España*, vol. xx. p. 46.

<sup>2</sup> So Jenkinson (he being the echo of Bute) writes to Mr. Grenville: "I just now read a despatch from Lord Bristol, which gave me the greatest pleasure. I think I see in it an appearance of good humour and good faith, and an overture made for terminating our disputes with Spain, consistent with our honour and our interest." The letter is dated Oct. 22, 1761.

<sup>3</sup> La Fuente gives Charles the Third's declaration of war, vol. xx. p. 19. In it is this sentence:—"El gobierno Ingles no conoce otra ley, que la de su engrandecimiento por tierra y su despotismo por mar." La Fuente says the new ministers "Ellos mismos se vieron en la necesidad de seguir la política del ministro caído, que así volvió a engrandecerse en la opinión y a acreditarse de previsor y perspicaz."—P. 45.

But the opportunity of intercepting the Spanish galleons had been lost.<sup>1</sup> Mr. Pitt's triumph was complete. The pusillanimous courtiers by whom he had been displaced were obliged to adopt the very measures they had at first refused to sanction, at a time when a great part of the advantage which might have resulted from it had passed away.

As a proof of the baseness that predominated in our councils, it is on record that the Duke of Bedford actually proposed we should abandon our heroic ally, the King of Prussia, to instant destruction, by withdrawing our troops from his army. This was at the moment too shocking even for Lord Bute to sanction. But, though fear of public opinion induced him to resist this scandalous motion, he founded his resistance to the proposal, however, on grounds not connected with the substantial merits of the question, and made it evident that Frederick could no longer rely on the support of England. From that hour,<sup>2</sup> the King of Prussia thought and

<sup>1</sup> "I have now good reason to believe that Spain will declare war to us—that is, that it will very soon, if it has not already, assist France, in case the war continues. This will be a great triumph to Mr. Pitt, and fully justify his plan of beginning with Spain first, and having the first blow, which is often half the battle."—CHESTERFIELD, p. 21. Nov., 1761.

The stocks fell to 66½; they had never been lower than 72 even in 1745.

<sup>2</sup> Jenkinson, *more suo*, hints at the intended treachery. "I think," he writes to Mr. Grenville, "when you return to town you will find a change of sentiment (!) with regard to continental measures, and I think we begin to turn our thoughts seriously towards putting an end to that burden"—*i.e.* towards betraying our ally. —*Grenville Papers*, vol. i. p. 440. April 13, 1762.

spoke of his alliance with England in terms of the most unmitigated scorn; and when we in our turn, in our hour of trial and distress, endeavoured to secure the co-operation of Prussia, our overtures were slighted for those of the despotic ruler of a semi-barbarous country, and the friendship of Russia was preferred to that of England by the victim of Lord Bute's and George the Third's perfidy. Such was the effect of this almost unexampled baseness. And England, left alone to encounter France, Spain, and her own colonies, expiated the crime of George the Third's favourite by repeated disasters, and humiliation, which, since the expulsion of the Stuarts, she had never known. But the session passed without any vote of the usual subsidy to Frederick the Great, engaged in a war almost desperate, and entangled with difficulties which nothing but amazing genius, exertions incredible, and a marvellous turn of fortune in his favour at the very moment when his destruction appeared inevitable, could have enabled him to overcome.

At the moment when Lord Bute determined to abandon Frederick, his condition was apparently desperate.<sup>1</sup> His army had now crumbled away to

<sup>1</sup> His armies had fought, since the close of 1756, nineteen pitched battles; of these he had lost eleven, and been victorious in eight. Seven out of the eight victories had been won by himself in person; of the eleven defeats he had been present only at three. His reverses had been sometimes terrible, but his recoveries had been almost miraculous.



sixty thousand men, half of whom were under his own command in Silesia, and the other half under his brother Henry arrayed against Daun. Schweidnitz, the stronghold of Silesia, had been taken by the Austrians, Colberg by the Russians, and he had lost a large portion of Saxony. Frederick was hemmed in between the Russians in Pomerania, and the Austrians in Silesia. The French, under Broglio and Soubise, were indeed driven back at Kirchdenkern,<sup>1</sup> but this was far from being an adequate compensation for the long train of calamities that had followed each other during this year. All his resources were exhausted,—England refused all further subsidies. The loss of Prussia itself appeared inevitable; when the sudden death of his implacable enemy, the Empress Elizabeth,<sup>2</sup> and the succession of his ardent and passionate admirer, Peter the Third, to the throne of Russia, rescued him from the perils by which he was encompassed, and enabled him once more to bid defiance to his enemies. The first act of Peter's reign was, on the very evening of Elizabeth's death, to acquaint Frederick with his accession. He then released, clothed, and sent back to Frederick all the Prussian prisoners. Money was distributed by his orders in Pomerania to all the inhabitants of Pomerania who

<sup>1</sup> On this occasion a high compliment was paid to the valour of a Scottish regiment by Prince Ferdinand.

<sup>2</sup> 5th January, 1762.

had suffered by the depredations of the Russian army. Seed was given to the husbandmen, and his army was ordered to obey the Prussian monarch. This change in Russian policy produced a similar change in the disposition of the Swedes. On the same day that the peace between Prussia and Russia was proclaimed at Berlin, the peace between Sweden and Prussia was signed at Hamburgh. But the fulness of this prosperity was of short duration. Before Peter's orders could be executed, before the fortresses had been evacuated which he had ordered to be given up, and while the different detachments were yet in motion, intelligence arrived that Peter had been murdered by his wife, who, though she recalled the orders for immediate hostilities with Prussia, which—under an erroneous impression that Frederick had urged her husband to take measures against her—she had at first issued, resolved to keep within the bounds of an exact neutrality.

That such a woman should have been praised by men of letters and philosophers is one of the most frightful proofs of the tone of moral feeling in Europe during the eighteenth century, and of the condition to which the Gothic governments had brought mankind.<sup>1</sup> The Czarina Elizabeth, brutal as

<sup>1</sup> Casti, in the "Poema Tartaro," has described the court of Russia at this period. The English reader will find a picture of the habits of Mr. Burke's correspondent, and D'Alembert's patroness, in Spenser's "Fairy Queen," book. iii. canto 7, stanza 50.

her habits were, and though she wallowed in orgies too scandalous for history to describe, was not steeled against all mercy, and did not, like Catharine, take the murderers of her husband to her bed. Yet not only did Voltaire, and Diderot, and D'Alembert praise the unsexed Catharine, but Burke, in his frantic hatred of the Revolution, condescended to address her—who had not only committed assassination after assassination, but, without a pretext or shadow of a ground of war, had deluged Warsaw with the blood of its inhabitants—in terms of respect and veneration, as a main support of social order and morality.

This respite, however, enabled Frederick to storm the Austrian position at Burkersdorf, and to recover the strong fortress of Schweidnitz. Shortly afterwards Prince Henry defeated the Austrian General Stolberg at Freiberg. Kleist spread terror and dismay by his ravages up to the gates of Ratisbon; and Glatz was the only remaining conquest in the hands of Austria, when negotiations were entered upon between Maria Theresa and Frederick the Great, amid wasted provinces, and ruined cities, and a population decimated by famine, fire, and sword.

In England, parties now consisted of that headed by Mr. Pitt—of great weight in the country, but little strength in the House of Commons; of that headed by the Duke of Newcastle—of great



strength in the House of Commons, but little weight in the country ; of that of Fox, and of that of Rigby, and the followers of the Duke of Bedford, including the most grossly profligate politicians of that grossly flagitious age. Worn out by repeated insults from the favourite, the Duke of Newcastle, who had betrayed everybody else, found himself the dupe of his own treachery, and retired from office.<sup>1</sup> When, under provocations even to him intolerable, he faltered out a threat of resignation, he was, much to his surprise, taken at his word,<sup>2</sup> and on the 26th May, 1762, the *Gazette* announced that the king had been pleased to appoint the Earl of Bute to the office of First Lord of the Treasury. Among those who hastened to abandon the fallen minister the prelates set the most conspicuous example of ingratitude. There were not three bishops on the bench who did not owe their mitres to Newcastle. Many had been raised by him from obscurity and indigence to the rank and enormous wealth which our Church, treading in the steps of Rome, has deemed it con-

<sup>1</sup> See his complaints, recorded by Rigby, "Bedford Correspondence," vol. ii. p. 425, "that the Whigs were given up;" "that he could bear it no longer." Public orders were sent to the dock-men to vote as they pleased. Private orders were given them to vote for Stuart, against the Duke of Newcastle's candidate. "Lord Bute," said the duke, "is sole dictator."—*Rockingham Memoirs*, p. 86. "Is it possible," he exclaims, "for me to go on with this man? Was ever any man in my station treated with so much slight and contempt?"

<sup>2</sup> "The king did not drop one word of concern at my leaving him, nor even made me a polite compliment, after fifty years' service and devotion to the royal family."—*Ibid.*, p. 112.



formable to apostolic precept and example to confer on men whose especial function it ought to be to place before the eyes of other men models of humility and self-denial. After his fall one bishop only attended his levee—Cornwallis of Lichfield, a man whose birth would have ensured his promotion, and who, therefore, was not so much indebted to the minister as those whom his patronage alone had lifted from the dust to inhabit palaces and sit in the House of Lords: they followed the star of preferment, hoping that wherever it might stop it would point out the shortest road to Lambeth, and crowded the cockpit, where the new favourite held his levee.

George Grenville succeeded to the office Lord Bute had quitted of Secretary of State; and, as a crowning proof of the favourite's omnipotence, Sir Francis Dashwood, equally known for the wildest dissoluteness of manners, his attachment to Tory doctrines, and utter ignorance of the rudiments of public business, was made Chancellor of the Exchequer.

Another act of Lord Bute's showed that the love of power, which he was without capacity to wield, was in him subservient to the most childish vanity, for he took the vacant garter, and thereby not only lost the opportunity of obliging some nobleman as frivolously eager for such a bauble as himself, but aggravated much the load of his fast increasing un-

popularity. The Duke of York was the companion of his installation. Much about the same time he was made Ranger of Richmond Park,<sup>1</sup> which office was taken from the king's aunt, Princess Emily. All the honours and emoluments of the State were evidently at his disposal.<sup>2</sup> It seemed as if the days of the caterpillars of the commonweal—of Gaveston, of De Vere, Poole, Kerr, and Villiers—were revived; and the native insolence of the upstart, the child of a weak head and a cold heart, discovered itself in a thousand ways to the proud and powerful class, which, as our annals show—and it is not the most obscure jewel in the diadem of England's glory—had so often struck down and brought low the arrogance of kings and their undeserving minions.

Symptoms of an angry feeling soon discovered themselves, and, though such ephemeral publications are generally below the notice of history, the *North Briton*, a weekly paper, must be mentioned, not on account of any intrinsic merit, but of its great circulation, and of the mischievous and foolish measures taken by ministers to destroy the author, whom they

<sup>1</sup> Rigby writes, "Most members of the cabinet are as much afraid of differing from Lord Bute as they had been of differing from Mr. Pitt."—*Bedford Correspondence*, vol. iii. p. 57.

<sup>2</sup> "Mrs. Ryde was here yesterday. She is acquainted with a brother of one of the yeomen of the guard, and he tells her the king cannot live without Lord Bute; if he goes out anywhere he stops when he comes back to ask of the yeomen of the guard if Lord Bute has come yet; and the lords look as mad as can be at it."—*Countess Temple, Grenville Papers*, vol ii. p. 22. Dec. 17, 1762.

thus raised from the obscurity and utter distress which would otherwise have been his inevitable lot, to wealth, and for a certain time even to reputation. The folly of government alone could have entitled so profligate a libeller as Wilkes to a name in history. His talents for composition were hardly above the average ; his knowledge was scanty and superficial ; he was bankrupt in fortune and in character. For a short time he became one of the most important men in England. A series of virulent libels appeared in the *North Briton*, pointed at the Earl of Bute. The names of the persons assailed were printed, for the first time, at full length.<sup>1</sup> The loves of Queen Isabella and Mortimer were the theme of one of the earliest papers. The allusion was manifest ; but the topic was too delicate, and in spite of the law of libel as it then existed, the creation of the judges—of course, therefore, oppressive and uncertain, and placing at the disposal of persons coarse and illiterate to a proverb, the power of inflicting on the most innocent and upright of mankind a savage and degrading punishment—it was not thought expedient to risk the publication of what a man so reckless and desperate as Wilkes, buoyed up by public opinion, might choose to say in

<sup>1</sup> See passage in the *Spectator*, on Lady Q—p—t—s. Pope says—

“E’en Guthrie saves half Newgate by a dash.”

In the “Annual Register” of the day the first letter only is written—Lord B., Duke of B., the K.



his defence ; and it was resolved to wait for another opportunity. Wilkes was assisted by Churchill, a man of real genius, the author of satires, written, indeed, with little care, but full of masculine energy and bitter vituperation.

Both these men were assisted clandestinely, and supplied with money, by Earl Temple, the elder brother of Grenville, and one of the most singular personages who took a part at that time in public affairs—laborious, well read in the history of our constitution, a frequent, and sometimes an effective speaker in the House of Lords ; regular in his habits, munificent in his gifts,<sup>1</sup> pedantic, and even brutal in his manners, fond of petty intrigue, and strangely eager for the trappings of a master whom he delighted to insult.

Meanwhile, it had become necessary for England to interfere on behalf of an ancient ally, Portugal, assailed without provocation because she continued true to her engagements. France and Spain insisted that Portugal should detach herself from England,<sup>2</sup> and put her principal ports in the possession of Spanish soldiers. To this insulting demand the

<sup>1</sup> To George Grenville, James Grenville, and Pitt. See "Grenville Correspondence." He settled a thousand a year on Pitt.

<sup>2</sup> "Pretender que el monarca y la corte de Portugal no miraran la entrada de tropas extranjeras en su reino sin consentimiento suyo como una invasion violenta, fuera suponerlos deposeidos de todo sentimiento de honor nacional. Pero con este conocimiento obraban los Borbones."—*LA FUENTE*, vol. xx. p. 50. Part iii. lib. 8.



court of Portugal returned a firm, dignified, and eloquent answer; and on her refusal, war was declared by these powers against her. A message was delivered to the House of Commons asking for the means of defraying the expense incurred by the protection of this helpless ally; and, in spite of a disgraceful speech from Lord George Sackville, a million—the money asked—was voted. A grosser or more unequivocal disregard of right is not, until the partition of Poland, to be found in modern European history. The annals of our East Indian empire contain, it is true, in almost every page, proofs as appalling of the little effect produced by the doctrines of Christianity on the minds of men, and of violations as flagrant of the rules by which society is held together. But in general some pretext for hostility, however flimsy, has been thought useful, at least, by those whose conduct is the subject on which the public opinion of Christendom is to be exercised. Nor should it be forgotten that the consequences of the terrible visitation at Lisbon, of the earthquake of 1755, were still felt throughout that kingdom, and that the King of Spain was the brother-in-law of the King of Portugal.<sup>1</sup>

Notwithstanding the treachery and incompetence of those who had supplanted him, the noble policy of

<sup>1</sup> Charles the Third in his Proclamation, complains of the King of Portugal's "*Ciega pasion à los Ingleses.*"—*LA FUENTE*, vol. xx. p. 53.

Pitt bore its natural fruits. The vessel, to borrow the metaphor of Cicero, held on its way from the original impulse, though the motion of the oars had ceased. General Monckton and Admiral Rodney took Martinique. Granada, St. Lucie, Tobago, and St. Vincent followed. Such was the blow dealt to the French ; that to Spain was still more serious. After a siege of two months and ten days, the Havannah,<sup>1</sup> the key of the Spanish possessions in America, and the jewel of the Spanish Antilles,<sup>2</sup> was taken by the Earl of Albemarle, at the head of the land forces, and Sir George Pocock. By this conquest the English gained a treasure of fifteen millions of dollars, a territory extending sixty leagues to the west, an immense quantity of maritime stores, nine ships of the line, and three frigates. Such was the blow dealt to the Spanish empire in the West. In the East, Manilla, the capital of Luçon and the Philippine Islands, capitulated to Sir W. Draper. The Aca-pulco galleon, the *Santissima Trinidad*, was captured, with a cargo valued at three millions of dollars,

<sup>1</sup> The Spanish Governor, Don Juan de Prado, a boasting coward, when called upon to take measures for the defence of the Havannah, which it was expected the English would attack, used to say, "No tendré yo la fortuna de que los Ingleses vengan."—*LA FUENTE*, vol. xx. p. 62. Don Luis Velasco nobly upheld the honour of the Spanish flag. He was mortally wounded in the breach. The English commanders, who admired his valour, had given special orders to save him. The Marquis Gonzalez, a worthy rival of Velasco in his fame, also fell by a glorious death on this occasion.

<sup>2</sup> "La joya de las Antillas y la Clave de las Américas Españolas."—*LA FUENTE*.

by a frigate of the line from Sir W. Draper's squadron; and the *Hermione*, bound from Guinea to Cadiz, with a cargo still more valuable, was captured off Cape St. Vincent. In spite of Lord Bute and his master, England was invincible.

The Count de la Lippe Buckeburg, a soldier of great reputation, trained in the wars of Germany, who had superseded Lord Tyrawly in the command of the Portuguese troops, ably seconded by General Burgoyne, succeeded in baffling the invasion, which at first had been formidable, of the French and Spanish army in Portugal. The only compensation that Spain obtained during the war, for her repeated losses, was the conquest of the Portuguese colony of San Sacramento, by Don Pedro Ceballos, the governor of Buenos Ayres.

These victories,<sup>1</sup> which would have made an honourable peace easy, made such a peace as Lord Bute was determined to conclude more difficult. The capture of the Havannah was decisive of the war; but we had ministers who wept for our victories, and to whom our conquests were a burden.<sup>2</sup>

<sup>1</sup> "The favourite and his creatures took no part in the transports of the nation. . . . He was infatuated (*i.e.* bribed), and breaking through all barriers of glory, he sent the Duke of Bedford to Paris to settle the preliminaries. . . . The city and merchants showed some symptoms of indignation at this alacrity for treating. The Duke of Bedford was hissed as he passed through the principal streets, and treasonable papers were dispersed in the villages round London. But in France the Duke was received as their guardian angel."—WALPOLE, *George III.*, vol. i. p. 191.

<sup>2</sup> See Rigby's letter, Wiffen, vol. ii. p. 473; "Bedford Correspondence," vol. iii.

Negotiations were conducted on our part with an anxiety for peace which it would have been imprudent to have exhibited in the midst of the greatest disasters, and by which the French did not fail to profit. A letter is actually extant in which Lord Bute entreats the enemies of England to consent to the terms of peace before the result of the last expedition could be known, lest, if it should be successful, public feeling should oblige him to insist on more honourable terms—so entirely was all public spirit stifled among those in power. Desirous of shelter for measures that could hardly fail to provoke a hurricane of indignation, Lord Bute, through Lord Halifax, endeavoured to conciliate the Duke of Newcastle. Even after his resignation, the duke had shown his anxiety for office. He had made overtures through Lord Barrington—a fit agent for such a purpose—to Lord Bute; but Lord Bute having delayed giving his assent to the proposal, the duke had already connected himself with the opposition, now headed by the Duke of Cumberland. He turned

p. 42. "Mr. Pitt, it is plain, does govern; and the worst of it is, he governs not only in the cabinet but in the opinion of the people. . . . Depend upon it, my lord, this is the madness of the times, and there is but one cure for it, *the defeat of some of our projects*. While we succeed and make conquests, the fire is constantly fanned. For my own part I should not be sorry to hear that the next windmill you attack should get the better of you."

"Rockingham Papers," vol. i. p. 126. Lord Bute, vexed at the conquest of the Havannah. Fox says, "Had Lord Bute seen me this morning, he should have told me our enemies would not make peace; he must now, I am afraid, say our friends could not."



all his restless activity against the government, was urgent with all his friends to resign, and indignant with them for not at once complying with his request.

Meanwhile, Lord Bute, solicitous lest the generals and admirals of England should, by other conquests, make his task of receiving the law from vanquished enemies more perilous, and his corruption (for that his hands were not clean from unlawful gain was not doubted by his contemporaries<sup>1</sup>) more manifest, despatched the obtuse and overbearing Duke of Bedford as the herald of peace to France. The Duke of Bedford was received, as Lord Bolingbroke had been when, fifty-one years before, he was despatched on a similar mission, with every mark of rapture and exultation. The Duke de Nivernois—eminent for the graces, accomplishments, and amiable character which, notwithstanding their dissolute habits, distinguished so many members of the French aristocracy, and in this respect furnishing a marked contrast to the rustic habits and boisterous demeanour of our own—represented France on this

<sup>1</sup> This was inferred not only from the terms of the peace, but from his prodigious expenditure, which the fortune, though vast, that he had inherited from his father-in-law, and which was only a life estate, could not account for. See "Wilberforce's Memoirs."

"I speak within compass when I assert that within the last three years he (Bute) has expended between two and three hundred thousand pounds."—ALMON, vol. i. p. 328. And see Walpole's last "Memoirs of George III.," where he accounts for the little money left by the Princess Dowager.

occasion.<sup>1</sup> The preliminaries of peace were soon signed—such as the most bitter enemy of England could not, a year ago, have ventured to anticipate. By this treaty Great Britain restored to France the island of Belleisle, in Europe ; the island of Goree, in Africa ; the islands of Guadaloupe and Martinique, in the West Indies ; Pondicherry and Chandernagore in the East. The right of France, so steadily refused by Mr. Pitt, to fish on the banks of Newfoundland, and within three leagues of our coasts,<sup>2</sup> was recognised, and the islands of St. Pierre and Miquelon were ceded as a shelter for her fishermen. Havannah and the other acquisitions of England, without reserve, were given back to Spain. This was done in spite of the warm expostulations of two members of Lord Bute's cabinet,<sup>3</sup> Mr. Grenville and Lord Egremont, who had sense to discern, and patriotic spirit to feel, but not firmness enough to resent, this wanton sacrifice of our strength. Our

<sup>1</sup> Flassan, vol vi. p. 474.

<sup>2</sup> "I cannot doubt France will restore all the cod they shall take within less than three leagues of our coasts in North America—a distance easily measured, especially at sea!"—CHESTERFIELD, vol. iv. p. 355.

<sup>3</sup> "During the summer, when the negociation for peace was set on foot, Mr. Grenville had many struggles with Lord Bute (who feared that the negociation might break off), which he was desirous to keep up higher than Lord Bute could be brought to consent to. Mr. Grenville represented strongly against the giving up Guadaloupe and Santa Lucia ; wanted to have an equivalent asked for Guadaloupe ; and insisted and prevailed to have a compensation for the Havannah. Guadaloupe was given up at an extraordinary council, called when Mr. Grenville was ill in bed, and not able to attend it."—*Grenville Papers*, vol. i. p. 450.

other conquests we were permitted to retain. In America we gained Canada, Nova Scotia, Cape Breton, all Louisiana to the east and south-east of the Mississippi, and Florida. In the West Indies, Tobago, Dominique, St. Vincent, and Granada; in Africa, Senegal and its dependencies were ceded to us. In Europe, Minorca was restored in the same condition as when it was conquered.<sup>1</sup> It was agreed that the harbour and fortifications of Dunkirk should be demolished. In the East Indies the King of France agreed to recognise Mahommed Ali Khan as Nabob of the Carnatic, and Salabad Jung as Soubah of the Deccan;<sup>2</sup> he renounced all acquisitions on the coast of Coromandel, and engaged not to erect any fortifications in the province of Bengal.<sup>3</sup> A splendid catalogue—maimed indeed, and mutilated of its fair proportions by corruption and imbecility,<sup>4</sup> but a testimony to the might of England, when wielded by a daring and patriotic minister,<sup>5</sup> that it was beyond the power of George

<sup>1</sup> "Spain also gave us the right of cutting logwood—'palo de tinto'—at Honduras, but paying for it. . . . It was our undoubted right, confirmed by former treaties, to cut logwood gratis."—CHESTERFIELD, vol. iv. p. 355.

<sup>2</sup> This stipulation in his favour cost Salabad Jung his life.

<sup>3</sup> Marten's "*Recueil de Traités*," tom. i. p. 33. Wenck, vol. iii. p. 270.

<sup>4</sup> For proof of the Duke of Bedford's incompetence see Lord Egremont's letter to George Grenville, "*Grenville Correspondence*," vol. i.

<sup>5</sup> Some years afterwards, Walpole writes, "Their [*i.e.* the French] panic at Mr. Pitt's name is not to be described. Whenever they were impertinent, I used to drop, as by chance, that he would be minister in a few days, and it never failed to silence them."—*Letters*, vol. v. p. 6.



the Third and his accomplices altogether to demolish.<sup>1</sup>

Still, to any man who loved England, and to any one who wished the national honour to remain unblemished, the terms of this peace must have been

<sup>1</sup> "We have by no means made so good a bargain with France; for, in truth, what do we get by it, except Canada, with a very proper boundary of the river Mississippi, and that is all? As for the restrictions upon the French fishery in Newfoundland, they are very well *per la predica*, and for the Commissary whom we shall employ; for he will have a good salary from hence, to see that those restrictions are complied with; and the French will double that salary that he may allow them all to be broken through. It is plain to me that the French fishery will be exactly what it was before the war.

"The three Leeward Islands which the French yield to us, are not all together worth half so much as that of St. Lucia, which we give up to them. Senegal is not worth one quarter of Goree. The restrictions of the French in the East Indies are as absurd and impracticable as those of Newfoundland; and you will live to see the French trade to the East Indies just as they did before the war. But, after all I have said, the articles are as good as I expected with France, when I considered that no one single person who carried on this negociation on our parts was ever concerned or consulted in any negociation before. Upon the whole, then, the acquisition of Canada has cost us fourscore millions sterling. I am convinced we might have kept Guadaloupe, if our negociators had known how to have gone about it."—*Chesterfield's Letters*, vol. iv. p. 352.

"Les sujets de la France, auront la liberté de la pêche et de la sécherie sur une partie des côtes de la Terre Neuve . . . Et sa Majesté B. consent de laisser aux sujets du Roi très Chrétien la liberté de pêcher dans le Golfe Saint Laurent, à condition que les sujets de la France n'exercent la dite pêche qu'à la distance de trois lieues de toutes les côtes appartenantes à la Grande Bretagne. . . Et pour ce qui concerne la pêche hors du dit Golfe les sujets de S. M. T. C. ne l'exerceront qu'à la distance de quinze lieues des côtes de l'isle du Cap Breton.

"Le Roi de la Gr. B. cède les isles de Saint Pierre et de Miquelon en toute propriété à S. M. très Chrétienne, pour servir d'abri aux pêcheurs François.

"Art. 6. New Orleans et de l'isle dans laquelle elle est située."

By the Peace of Paris the French retained of all Louisiana only the state of New Orleans and the island on which it stands. They gave up New Scotland and Canada. The right of fishing on Newfoundland was common to them with the English. But they gave up Cape Breton, and received as a compensation islands St. Pierre and Miquelon. In the West Indies they lost only



matter of bitter humiliation and regret. Great indeed was the contrast between the conduct of defeated France to Spain, and of triumphant England to Frederick the Great. Twice in fifty years England allowed her ministers to tear the laurel from her brow, and sullied the triumphs of a glorious war by a dishonourable peace. Twice in that short period, and each time under the rule of a Tory government, she fortified her enemies and betrayed her friends. In 1712 she deserted the Catalans,<sup>1</sup> whom she had stimulated to resistance; in 1763 she abandoned the King of Prussia, whom she had obliged herself by the most solemn obligations, and to whom she was bound by every tie of honour and gratitude, to support. The Duke of Bedford, as, to his great indignation, he discovered when it was too late, was throughout this scandalous transaction, a mere tool in the hands of Lord Bute.

Dominica, Tobago, St. Vincent, Granada, and the Granadines; but in return regained Martinique and the other islands in return for Minorca. They abandoned Senegal in the East Indies, Coromandel, and Orixá—all they had acquired since 1749. They promised to keep no more troops in Bengal. Dunkirk was to be restored to the condition in which it was before the Peace of Aix-la-Chapelle. Havannah was restored to Spain, but she ceded to England Florida and her share of Louisiana, that is, the territory to the east and south-east of the Mississippi, and renounced all right of fishery in Newfoundland. The right of log cutting in Honduras Bay was allowed to the English, but they were to destroy their fortifications. The Spanish and French troops were to evacuate Portugal. St. Sacramento was restored.

<sup>1</sup> “Esta irregular conducta de la Reina de Inglaterra en cuyo auxilio y apoyo tanto habian confidado, tenia indignados à los Catalanes,” &c.—LA FUENTE, tomo xviii. p. 356.

The real negociation was clandestinely carried on by the Sardinian minister at Paris, the Bailli de Solar, through the medium of Count Viri, the Sardinian minister in London, by whom Lord Bute and his master disclosed the most secret councils of the cabinet to the French minister.<sup>1</sup> The outlines of the peace—Lord Bute being utterly ignorant of foreign affairs—were arranged solely by Viri. For these services Viri was put on the Irish pension list, for £1,000 yearly, under a false name.<sup>2</sup> The transaction recalled the worst days of Charles the Second. The peace, notwithstanding the conquests of the Havannah, and the Manillas, and the islands in the West Indies, was not more advantageous to England than that which France had offered to sign in 1761. Portugal, indeed, we did not abandon; the conquest, made by the governor of Buenos Ayres, of the colony of St. Sacramento, was restored to her, and the troops of France and Spain evacuated her territory. Towards Frederick Lord Bute acted with a consistent treachery, of which that monarch was perfectly aware. After Lord Bute had entered into a secret negociation with Austria,<sup>3</sup> the common enemy, to whom he literally offered the dominions of our ally, the first news Lord Bute received of his

<sup>1</sup> This was done by George the Third's special direction.

<sup>2</sup> George Charles.

<sup>3</sup> Through Sir Joseph Yorke. See "Rockingham Memoirs," vol. i. p. 94.

overtures was from Knyphausen,<sup>1</sup> the King of Prussia's minister, who showed him a copy of his own proposals, which Austria was prudent enough to reject. The antipathy of George the Third and Lord Bute for their heroic ally is especially displayed by the article of the Treaty of Paris, which provides that England shall abandon Prussia, and France Austria, in case either power shall prolong hostilities beyond the 15th March, 1763, and that France shall *at once* evacuate Hanover, Hesse, Lippe, Buckeburg, but evacuate *as soon as she can*<sup>2</sup>—that is retain—Wesel, Gueldres, Cleves, and generally all the territories belonging to the King of Prussia.<sup>3</sup> Lord Bute was callous enough to say, in the House of Lords, that these provinces of the King of Prussia were to be scrambled for, and the peers of England were careless enough of the national honour to listen to this statement—for which the minister ought to have lost his head—without any mark of indignation,

<sup>1</sup> Lord Bute had, in the most profligate manner, made proposals first of all to the Emperor of Russia, then to the Court of Vienna. "A correspondence was carried on with the Court of Petersburg, in which the minister . . . said, or insinuated in very strong terms, that we should behold with concern the late Emperor of Russia's withdrawing from the alliance, and recalling his troops from the assistance of the empress-queen; that this country did not wish that the King of Prussia should be aggrandised at the expense of the House of Austria, but would rather desire that power revert to its primitive Electoral State."—*History of Minority*, p. 52.

<sup>2</sup> "Aassitôt que faire se pourra."

<sup>3</sup> "Is not a general guarantee of all the King of Prussia's dominions to him infringed, by giving up his towns to the enemy?"—*History of the Minority*, 1262.



or even of surprise.<sup>1</sup> Fortunately Frederick did not stand in need of our assistance; and when the peace of Hubertsbourg was signed, he came out of the fiery trial he had gone through unscathed, still holding Silesia in his iron grasp, without the loss of an inch of territory, and without having incurred a shilling of debt. I must add, to complete the picture, that France preserved, with the exception of Russia, all her allies, while England remained for nearly ten years after the war without one, Portugal excepted, on the continent of Europe.<sup>2</sup>

After having thus thrown away the national interest and the national honour, the next step was to secure the support of Parliament. Opposition began to assume a formidable shape. The Duke of Cumberland, the Duke of Devonshire, and the Marquis of Rockingham were leagued together. The great commoner—such he still was—stood aloof,

<sup>1</sup> Wenck, vol. iii. p. 268, contains the *pacte de famille*, twenty-eight articles. "Principe de ce traité qui attaque une couronne, attaque l'autre."

<sup>2</sup> As a proof of Lord Bute's treason to his country, I subjoin an extract from his letter, cited by Schlosser, vol. ii. p. 416. Archives du Royaume Carton, K. 155. "Vous vous laissez battre, et nous ne pouvons plus faire la paix : nous n'oserons la proposer au parlement. M. de Choiseul, désolé de voir rompre la négociation, engage le roi à écrire à M. de Soubise. Mon cousin, je vous écris la présente qu'aussitôt que vous l'aurez reçue vous passiez la rivière de Fulde, et grievous attaquiez les ennemis, sans compter sur les dispositions qui vous conviendront, et quelque soit le succès vous n'en serez pas responsable."

Choiseul adds, in a private letter, "La lettre du roi sur le maréchal est trop formelle pour que j'ai rien à y ajouter, mais je puis vous dire que quand l'armée du roi serait détruite jusqu'au dernier homme, et qu'il fut obligé d'en lever une nouvelle, S. M. n'en serait point effrayée."



but his tone towards ministers was sullen and menacing.

It was requisite to find a champion. To talk of Sir Francis Dashwood's undertaking the defence of the Treaty of Paris would have been not very polished irony. Grenville had been refractory in the cabinet, and, trained in habits of deference to Pitt, could hardly be depended upon in debate. In this crisis the court had recourse to Fox. No greater proof could be given of the straits to which it had been reduced by George the Third's extravagant ideas of regal power. No man had been more obnoxious to Leicester House; no man was more detested, or with better reason,<sup>1</sup> by the Princess Dowager. A year had not elapsed since Lord Bute had begged Mr. Grenville not to shock the king by the mention of his name. Now, however, George the Third made the discovery that bad men must be employed to govern bad men, and Grenville, who had quarrelled with his family for Lord Bute's sake, and thus, to a certain degree, put himself in

<sup>1</sup> He had caused the most virulent lampoons and caricatures to be written against her. See especially Walpole's account of one called the "Turnstile," a print of George the Third, then Prince of Wales. Under the figure was written—

Son of a—  
I could say more.

"Mr. Fox," says Walpole (June 1, 1757), "has found some caricaturist at least equal to George Townshend, and who manages royal personages with as little ceremony."

his power, was taught the value of court promises.<sup>1</sup> He was abruptly and ignominiously compelled to resign the lead of the House of Commons, which was entrusted to Fox, and the seals of Secretary of State to Lord Halifax, whom he succeeded at the Admiralty. In addition to the lucrative place of Paymaster, a sinecure office was given to Mr. Fox, who became a member of the cabinet, and was in the House of Commons the responsible minister of the Crown. He<sup>2</sup> at once set about the purchase of the House of Commons.<sup>3</sup> The lowest bribe given was £200. The Treasury was the scene where the traffic was carried on by his emissaries. The demands of the representatives of England were so enormous, that money was actually wanting to defray the necessary expenses of the king's household. Such was the commentary on the specious professions of purity with which the new reign was

<sup>1</sup> See Lord Bute's insolent letters to him, "Grenville Papers," vol. i. pp. 446, 449. "The king is at the bottom of the intrigue."

<sup>2</sup> "Leaving the grandees to their ill humour, Fox directly attacked the separate members of the House of Commons, and with so little decorum on the part of buyer or seller, that a shop was publicly opened at the pay office, whither the members flocked and received the wages of their venality in bank bills, even to so low a sum as £200, for their votes on the Treaty. £25,000 were issued in one morning, and in a single fortnight a vast majority was purchased to approve the peace."—WALPOLE, *George III.*, p. 199.

Lord Chesterfield, in an originally omitted passage (vol. v. p. 468), "The profusion of the Civil List has been so great in . . . buildings, undeserved pensions, and the *hire of Parliament men*, that I am assured the king is the poorest man in his dominions, the Civil List being now above £500,000 in debt." (July 27, 1764.)

<sup>3</sup> "Droit au solide allait Barthélemi!"

ushered in. Having secured a majority of those whom he could corrupt, he hastened to take revenge on those who were beyond the reach of bribes, and promises, and intimidation. An unsparing and unexampled proscription was let loose against all connections, however humble, and however remote, of those who refused to support the ministry. Neither age, nor compassion, nor respect for past services were allowed to save the victims. The helpless widow, the Custom House officer, maimed in the service of the Crown, were stripped of their little salaries. Nor was this violence confined to the weak. The Duke of Devonshire had declined Fox's invitation to support the new scheme of government in measured and respectful terms, but, unwilling, from constitutional indolence, to embarrass the government, or to make a parade of his hostility, continued to hold the office of Lord Chamberlain. On his refusal to attend a summons to the cabinet, the king sent him, through a menial, a message that would have been affronting to any one in the rank of a gentleman; insulted him a second time when the Duke attended to resign his wand of office, and struck, with his own hand, his name out of the list of Privy Councillors, a mark of displeasure by which

<sup>1</sup> "Rockingham Memoirs," vol. i. p. 135. "I believe there never was such behaviour to the first and best subject the king has."—*Duke of Newcastle's Letter*, and p. 143, *ibid.*

his grandfather had stigmatised the cowardice of Lord George Sackville and the reckless hate of Pulteney.<sup>1</sup> This was done without the knowledge of Mr. Fox. Parliament met on the 25th November. The king was insulted on his way to Westminster, and, but for the interference of the guards, Lord Bute would have been torn to pieces by the populace.

For the ferocity which they displayed, the savage criminal law, and the neglect of an opulent Church, that had never endeavoured to raise them to the level of heathens, were more to blame than the unhappy victims of a state of things tending exclusively to the benefit of the rich; but the love of their country, the sense of shame, the honest instinct which taught them to resent the "foul scorn" that their blood and the blood of their children should have been shed in vain,—owing to the intrigues of a foreign woman and her lover, and a youth carefully ill-educated that he might be a tool in the hands of such beings, and fitted for their purposes,—was their own.

Many years afterwards, when the new system had reached its height, when the eyes of the upper as well as the lower classes were at last opened to the humiliation of their country, and the provoca-

<sup>1</sup> He (Pulteney) had published private conversations on the most important subjects.



tion given by the court to every man of high and liberal feeling had become intolerable, several young men of condition, and among them Thomas, the second son of George Grenville, eminent in after life for every quality that belongs to the character of an accomplished and fastidious gentleman, headed, in the disguise of sailors, the mob that stormed the Admiralty in a transport of national indignation.

On the 9th of December, 1763, the debate on the preliminaries took place in both Houses. Lord Hardwicke attacked the terms of the treaty in the House of Lords, which, he truly said, notwithstanding the capture of the Havannah and of the Philippines, were worse than might have been obtained the year before. He complained also of the assiduity with which prerogative was now cried up, more than it had ever been by the most ductile parliaments. The Duke of Grafton, looking full upon Lord Bute, accused him of corruption. Lord Bute and the Chancellor Henley defended the peace, as did Lord Mansfield in a very able speech, and the preliminaries were approved without a division by that assembly. It was not, however, to that body, containing so many gilded baubles of a court,<sup>1</sup> and twenty-five priests, that the eyes of those who hoped

<sup>1</sup> Lord Bute had increased the number of lords of the bedchamber from twelve to twenty-two.

the honour of England might still be saved were turned. It was on the house of which the illustrious man whose labours had been so ill requited and turned to so poor an account was a member, that expectation fastened. It was uncertain whether his health would suffer him to attend ; and, in spite of a packed majority, ministers feared that a flame might be kindled in the nation which it would not be in their power to allay. They accordingly resisted a motion which would have postponed the debate by referring the preliminaries to a committee of the whole House ; and while they were endeavouring to hurry through the question, in the absence of their dreaded enemy, the venal assembly was suddenly startled by a mighty clamour. Then, amid the roar of an applauding and fearfully excited multitude, the doors opened, and Mr. Pitt appeared, borne in the arms of his servants, who laid him down within the bar. By the help of his crutch, and supported by his friends, he staggered to his seat amid the affected sneers, and evident alarm, of the most callous among those who had received the hire and salary of corruption—the Jenkinsons and Rigbys, the satellites of Bute, and the companions of the Duke of Bedford. Pain and disease sat on his emaciated countenance, and it was manifest that the cruel disorder to which he had been so long a prey was making rapid strides on his constitution. At length he rose, and in a speech,

during which he was allowed the privilege of occasionally sitting down, and was obliged to strengthen himself with cordials, he inveighed against the treaty of Lord Bute, declaring that he came to raise his voice, his hand, his arm against the articles of a treaty which sullied the glories of the war, surrendered the dearest interests of the nation, and, by sacrificing our allies, inflicted an indelible stain on the public faith. He then proceeded, in a voice often languid, and interrupted by paroxysms of agony, to analyse the articles of the treaty. He said that he was anxious our king should not abuse his prosperity, and that when Mr. Stanley went first to Paris he was willing to have made peace, had France then been sincere, but she meant only to cajole us till the family compact and the preparations of Spain for supporting it were complete. He then went, at a length which the placemen called tedious, into the question of the fisheries. Before the death of the Czarina, which had changed in our favour the aspect of affairs in Germany,—before the acquisition of Guadaloupe, the Havannah, and Pondicherry,—the Duke de Choiseul had asked for a single rock : they had now fishing vessels, a fishery in full right. He never would have granted it. He contended for the whole exclusive fishery, but was overruled, not by a foreign enemy, but by another enemy. He went through the cessions in America and Africa,

and declared that he would not have agreed to any terms approaching those which had been admitted. After France had put us to the expense of fourteen additional millions, and our arms had been crowned with such splendid success, were we to be content with the same conditions? The French have said that they must have St. Lucie as a security for Guadaloupe; was that a reason to be given to an English Parliament? We should have had Guadaloupe and Hispaniola. He drew a striking contrast between the noble delicacy of the French honour in obtaining everything for Spain, and our baseness in sacrificing Frederick the Great. He said he had never envied French councils till now. Their conduct was magnanimous and becoming a great people; ours was insidious, tricking, base, and treacherous. With the happiness of allusion, in which, perhaps, no English orator ever equalled him—certainly none whose speeches are on record—he said we ought to have made a family compact with the King of Prussia, seizing an expression then in every one's mouth to barb his argument. There had been a time when he had seen every unsound principle disclaimed; it was now otherwise—clouds darkened our prospect. He warned ministers to consider before it was too late that the House of Brunswick could never stand secure on any principles but those of the Revolution, or the maxims which had brought



them thither and given them the crown of these realms. Of the peace he thoroughly disapproved ; it was insecure, inadequate, dishonourable, and he saw in the terms of it the seeds of a future war. Mr. Fox rose to reply and Pitt immediately withdrew.

The division shows the disgraceful state of the House of Commons ; three hundred and nineteen members voted in favour of the peace, and sixty-eight against it. The glories of the Seven Years' war were thus blasted by the hirelings of prerogative, and a moral injury inflicted upon England which far overbalanced all the advantages we had won. But the degradation of the country was inseparable from the unconstitutional power aimed at by the Crown, and the Princess Dowager was, unhappily for England, but too much in the right when she exclaimed, on hearing of the division, " Now my son is king." She did not add that he was king of a nation corrupted to the very core—actually sold to a foreign enemy, and soon to be dismembered by its own subjects.

" Never more," said her pupil, in the first ebullition of his triumph, " shall the Whig grandes be admitted to power." Such was the royal gratitude for services which, in spite of faction and treachery, had placed and kept the House of Brunswick on the throne of England. As a proof of this resolu-

tion, the Dukes of Newcastle and Grafton and the Marquis of Rockingham were dismissed from the lieutenancies of their respective counties. The Duke of Devonshire, whom Fox had made a merit of saving, refused to be under any obligation to the court, and scornfully resigned the same office. Every art was used to procure addresses from corporations. Attempts were made to gain the city of London, but the hostility of that body to Lord Bute's system was determined and inexorable. Measures still more violent were intended. Several of the chief opponents of government, Lord Lincoln—whom Fox particularly hated—among the rest, held patent places for life. These places, whatever we may think of the policy by which such rights were conferred, were looked upon by the law as freeholds. It was proposed to take them from the holders. The Chancellor—a man by no means remarkable for scrupulous probity, though less corrupt than many of those who preceded, and some of those who followed him—was asked whether it might not be referred to the judges to say whether the king should not recall the patents bestowed in former reigns. Lord Northington replied, “Yes; such a case might be sent to the judges, and then it might be referred to them to decide on *Magna Charta*.” Sir Fletcher Norton, Solicitor-General—a man of hardened and flagitious character, the career of whom is one of the

most flagrant proofs how wide a gulf divided, in that day, the most ordinary notions of probity from professional success—actually advised that the places should be taken away at once, and then the former holders might try if the law would restore them. In spite of this advice the project was abandoned, probably because the greedy supporters of the court were reluctant to sanction a doctrine that might be turned against themselves, and to cut from under their own feet the soil that might one day bear a golden harvest.

The vessel of Lord Bute's folly, however, was not yet full, and his financial measures were soon to effect what insulted nobles and national dishonour had not yet succeeded in accomplishing. A loan of three millions and a half had been negotiated with such gross improvidence that the contractors realised a profit of £350,000, much to the indignation of those competent to form a judgment on such matters, who ascribed, perhaps erroneously, the plunder of the public rather to malversation than incompetence.<sup>1</sup> It was resolved to provide for the interest of the new debt by a tax on cider, to be raised by the excise—almost the very scheme which Sir R. Walpole, in the zenith of his power, had been compelled to abandon. Walpole, however, yielded

<sup>1</sup> It was said that a sum of five figures was an impenetrable mystery to Sir Francis Dashwood, Lord Bute's Chancellor of the Exchequer.

to public opinion, of which he knew how to estimate the value. In this respect he was not imitated by the arrogant and empty being now at the head of affairs. Even if no other argument could have been urged against the measure, the gross injustice of flinging the burden of a national debt on the beverage of the lower class in a few counties ought to have been fatal to it.<sup>1</sup> The tax was to be levied without drawback or allowance for the risks to which a commodity, exposed to many peculiar risks, and often grown at an enormous loss to the producer, is liable. The whole nation was in a flame.

But to every argument save one, Lord Bute's majority was inaccessible. It was on this occasion that Mr. Pitt made one of his happiest allusions. Mr. Grenville, in defending the tax, had dwelt on the impossibility of imposing any other. "Where could I lay another tax? I defy the right honourable gentleman to tell me where." This he repeated several times in a querulous and angry voice; when

<sup>1</sup> "History of the Minority," p. 109, shows Lord Bute was as indifferent to truth as his master. Jenkinson, Lord Bute's secretary, desired Sir James Hodges to call on Lord Bute, which Sir James did. The minister urged him to get the petition on the cider tax withdrawn. On being questioned by Lord Temple, Lord Bute absolutely denied, upon his honour, that he had ever, directly or indirectly, promised to repeal the cider tax if the city would withdraw their petition—that the report was a factious lie. On which an inquiry took place into the conduct of Sir James Hodges, before the City Council, who proved to the satisfaction of all present who was the liar.—See *Parl. Hist.*, p. 1,314, *Protest on the Cider Bill*.



Mr. Pitt quoted, from his bench, in a musical tone, a passage from a favourite song of the day—

“Gentle shepherd, tell me where?”

The measure was of course carried through the Commons, and gave rise to a violent debate in the House of Lords, where it also passed.

For the first time in our history, forty-nine peers divided against a money bill. Just at this time, however, when the triumph of the minister over everything like honour, probity, and independence was complete—when it was evident there was a majority in both Houses ready to do his bidding, and a monarch on the throne who was a puppet, moving as he and the Princess Dowager pulled the wires; when the Whigs were scattered and dismayed, divided by petty jealousies, and weakened by incessant desertions; when the thunder of Mr. Pitt’s eloquence rolled in vain over the benches on which sat a careless or a hostile audience; when the people, deprived of their natural leaders, alarmed the wise and good by giving their confidence to reckless demagogues, and inclined them to overlook the worst errors of authority; when the evil work was on the point of consummation, and everything seemed to promise success to the schemes so dear to him,—to the amazement of every one, Lord Bute, the author of the new state of things, resigned,

leaving his master to extricate himself as he could from the labyrinth of fraud, intrigue, and speculation in which he had involved king, parliament, people, and the most precious interests of the commonwealth.

Various reasons have been assigned for this proceeding, by his enemies and by his friends. A philosophical love of retreat (as if a mind like Lord Bute's was capable of such an exalted motive), and a dread of the populace, have been positively insisted upon as the cause of his resignation; but the main reason undoubtedly was terror lest the Duke of Bedford,<sup>1</sup> who had discovered his intrigues with France, his corruption and his treachery to England, should carry his threat of moving for an impeachment into execution. The duke, with all his faults, was an honest Englishman, and when he discovered that Lord Bute had communicated his most secret instructions to Choiseul, his indignation knew no bounds. Had Lord Bute been firm, the triumph over the constitution would have been, for the time at least, complete. The hearts of Englishmen were

<sup>1</sup> This appears from the evidence of contemporaries. Lord Chesterfield says, (vol. iv. p. 411), "Duke of Bedford swears he will have Lord Bute attacked personally in both Houses." And "Rockingham Papers," vol. ii. p. 47:—"Duke of Bedford's most sanguine wish is that Lord Bute may show enough of his head to lose it." "His Grace," says the second Lord Hardwicke, "has taken an antipathy to Lord Bute on account of the transaction of last summer."—*Rockingham Memoirs*, vol. i. p. 176. April, 1764. And see Dr. Musgrave's examination, "Parl. Hist.," 1763. It was not till Torcy's *Memoirs* were published that Louis the Fourteenth's offer of a bribe of four millions to the Duke of Marlborough transpired.

tainted, and the most masculine intellects of the day (Mr. Pitt excepted) were labouring in the cause of despotism. It was becoming every day more clear that court favour was the only road to power. Indifference to the constitution was increasing rapidly among the gentlemen of England. The language of the courtiers of Charles the First, between the years 1628 and the glorious year of national regeneration and revenge, 1641, was growing fashionable. Lord Bute's cowardice postponed these dangers; yet the struggle was not at an end. The phalanx of mercenaries kept together, though the leaders ran away.

The accomplice who had carried his schemes into effect with so gross a disregard of private morality and public honour, withdrew at the same time from the stage he had trodden so long and so audaciously. Mr. Fox—created Lord Holland, and after a short struggle permitted to keep his sinecure, and the still more lucrative place of Paymaster—escaped from the tempest he had roused, to pass the remainder of his life in dishonoured opulence, branded with a title which had been the reward of frontless profligacy, abhorred by most of his fellow-citizens, and unable by abject humiliation to recover the favour of his former patrons.<sup>1</sup>

<sup>1</sup> For Fox's unpopularity, see "Selwyn Correspondence," p. 269: "I (Fox) hate London, and London hates me." And Gray's bitter lines, beginning— [Old

“Old, and abandon’d by each venal friend,  
Here Holland form’d the pious resolution  
To smuggle a few years, in hopes to mend  
A broken character and constitution.

“On these congenial scenes he fix’d his choice :  
Earl Goodwin trembled for his neighbouring sand.  
Here seagulls scream and cormorants rejoice,  
And mariners, though shipwreck’d, fear to land,” &c.

“When I am in England,” he writes to George Selwyn, “you are so unlike other people, I shall see you now and then.”—*Selwyn Correspondence*, p. 210. For his attempt to conciliate the Duke of Cumberland, see “Rockingham Memoirs,” vol. i. p. 238. The Duke of Cumberland never again admitted Fox to his presence except at public levees.—*Lord Albemarle, Rockingham Memoirs*, vol. i. p. 133.



## APPENDIX TO CHAPTER II.

### *Comparison between the Peace of Utrecht and the Peace of Paris.*

#### PEACE OF UTRECHT, 1713.

So early as 1707 Mrs. Masham endeavoured to insinuate herself into Queen Anne's favour. Those who made their court to her talked that there was not a Jacobite now in the nation; and that, without doubt, she would reign out peaceably her whole life; but she need not concern herself about a German family, &c.

Several pamphlets were occasionally published, all blaming the war, the ministers, the allies, &c.—particularly a piece called, "The Conduct of the Allies," which was spread with uncommon industry, and found afterwards to contain the *political creed* of the Tory party, which all the orthodox friends of France embraced very readily. (Sir Robert Walpole's History of the Parliament.)

The French having been defeated in every engagement, resolved to sue for peace in 1710.

A party, which the French had at all times found in England, consisting of those who were attached to slavish and prerogative principles, were artfully set to work to abuse and vilify the Whig ministry and the Duke of Marlborough.

#### PEACE OF PARIS, 1762.

Upon the death of King George the Second (1760), Lord B——, a descendant of the house of Stuart, who had been groom of the stole to the Prince of Wales, it is well known did intend and attempt to take the lead in the administration, as soon as the breath was out of the late king's body.

Several pamphlets were occasionally published, all blaming the war, Mr. Pitt, the King of Prussia, &c., particularly "Considerations on the German War," written by one Israel Mauduit, which was spread with uncommon industry, and found afterwards to contain the *political creed* of those who were endeavouring to make themselves ministers. For which seasonable service to England (not to France we may assure ourselves), the author was in a little time rewarded with a good place.

The French having been defeated in every quarter of the world, resolved to sue for peace in 1761.

Several pamphlets and letters in the public papers published, abusing Mr. Pitt, the ministry, the King of Prussia, Prince Ferdinand, &c.

## PEACE OF UTRECHT, 1713.

During the negotiations at Gertrudenberg, the insincerity and duplicity of the French were discovered, by their attempt to make a *separate* (not a *general*) peace. The French themselves declared they were not anxious about the success of that negotiation, as they were sure of carrying their point in England by a change of the ministers and measures of that court. (Tindal, Burnet, Dr. Hare, &c.)

The Earl of Sunderland dismissed (without any reason assigned) from his post of Secretary of State.

Every engine set to work to vilify the conduct of the Whig ministry, and even the Duke of Marlborough's personal courage, notwithstanding all his victories, called in question.

In a few months after the dismissal of the Secretary of State, the whole Whig ministry turned out; all which arose purely from the influence of the *favourite*. First the Earl of Godolphin, Lord Treasurer; and next the Duke of Devonshire, Lord Steward; and all the rest afterwards. Tories placed in their stead.

Rejoicings in France on the account.

Upon these changes public credit was lower than it had ever been known.

The new ministers being in the interest of France, were resolved to patch up a peace with her, upon any terms that she would agree to, without the allies.

"Finding the House of Lords could not be brought to favour their designs, they (the ministry) resolved to make an experiment, that none of our princes had ventured on in former times. A

## PEACE OF PARIS, 1762.

Mr. Pitt rejected with disdain M. Bussy's attempt of a *separate* peace. While that negociation was carrying on, France entered into a treaty with Spain offensive (as in process of time it will be found to be) to Great Britain. This manifested the insincerity of the French, and put an end to the negociation.

Mr. Pitt violently opposed by the influence of a *new* party and a *favourite*, in his scheme for carrying on the war with greater vigour than ever, which would have *commanded a good peace*, and driven from the state.

Ministerial and prerogative writers hired to abuse Mr. Pitt in the most infamous and unheard-of manner. The successes of the war were attributed wholly to the officers; not even in the smallest part to the foresight and spirited conduct of the minister.

In a few months after Mr. Pitt was driven from the state, the whole Whig ministry were either turned out or affronted in such a manner as to be forced to resign. First the Duke of Newcastle, First Lord of the Treasury; next the Duke of Devonshire, Lord Chamberlain, who was also struck off the list of privy councillors; and all the rest afterwards. Tories placed in their stead.

Rejoicings in France on the account.

Upon these changes public credit was lower than it was even in the Scottish rebellion of 1745.

The new ministers were detested by the nation, and not only unable, but unwilling, to carry on the war; therefore they resolved to patch up a peace as soon as possible, without the King of Prussia. This is putting the most *favourable* construction upon the matter.

"What has been the conduct of the minister under similar circumstances? Has he not advised the creation of SIXTEEN new peerages; not indeed at once—that would have been too ex-

## PEACE OF UTRECHT, 1713.

resolution was taken, very suddenly, of making TWELVE peers all at once." (Burnet.)

It is now an undisputed fact, that Queen Anne's Tory ministry were friends to the Pretender, and that they did all that they durst do to place him on the English throne. Their writers affirmed that King William was an *usurper*, the revolution a rebellion, &c. The Scots went farther in their hearty zeal for the House of Stuart; they presented a medal to the dean and faculty at Edinburgh, with the Pretender's head on one side, and round it these words—*Cujus est (whose image is it)?* On the other side was Great Britain and Ireland with a fleet of ships, and this inscription—*Reddite (restore them)*. It would take up more room than we can afford in this place to recapitulate all the circumstances which prove, in the most clear and convincing manner, that the queen's Tory party certainly intended to bring in the Pretender; such a recapitulation would be nothing less than a history of their whole conduct, since their whole conduct was nothing more than a series of such measures as tended to accomplish this great point. The charge is admitted by all historians; even Smollett, a ministerial writer of *these days*, does not dare to deny it.

## PEACE OF PARIS, 1762.

plicit a declaration of his motives, but all in the space of two years. And not content with this, he has likewise advised the giving pensions to a great number of that House, under the denomination, indeed, of lords of the bedchamber; but as the number of these lords has been increased, in the present reign, from twelve to twenty-two, the fact is, that by whatever name they are called, the k—— has so many more servants in his pay in that house." ("Review of Lord Bute's Administration.")

Every one believes, or wishes to believe, that the present m——s are enemies to the Pretender, although in speech and writing their tools have not hesitated to call our great deliverer, King William the Third, an *usurper*, and the revolution, to which we give the present family upon the throne, a *rebellion*. Although the glorious memory of his late majesty, who loved and embraced the true friends of his illustrious house, which will be ever dear to the Whigs, has been vilified and libelled with impunity, both within and without doors; and his beloved son—who is almost adored by the English nation and all good men, and who, by a glorious victory which he obtained over the Pretender and *his faithful* Scots, firmly and immovably fixed his royal father upon the throne, and preserved the succession of the British diadem in his royal family—has been abused and traduced in the most infamous manner; has been called a *spirit that delighteth in blood*; has been compared to Richard the Third and Oliver Cromwell, in papers and pamphlets which the m——s are known to have paid for; although the Duke of Newcastle and the Duke of Devonshire, and many others who have either fought against the Pretender, or have expended their fortunes and even hazarded their heads in support of the House of Brunswick, have been also abused and vilified with all the malignity and rancour that

## PEACE OF UTRECHT, 1713.

The Tory ministry, as soon as they were in power, showed the greatest marks of favour to the Scots, who, a few years after, rose in rebellion, because they were not gratified to their *utmost* wishes.

The first object of the Tory ministry, after they had seated themselves in power, was to obtain a peace from France upon *any terms* that she would agree to, no matter whether the allies concurred in it or not. They knew they could not stand unless there was a peace.

So determined were the queen's Tory ministry for a peace, that when the allies refused to agree to the in-

## PEACE OF PARIS, 1762.

even the House of Stuart could dictate; although in the reign of a prince of the House of Brunswick, notorious Jacobites, or those who *have been* so, have been made privy councillors; although the true and tried friends of their sovereign and their country are turned out of every department of government and rank; although Tories and Jacobites, and men of slavish and prerogative principles are placed in their stead; although a picture of the Pretender, set round with diamonds, was sent over from Flanders as a present to a great man; although it is believed that the Pretender was *incognito* at the coronation, and that upon being questioned as to the risk, he answered *he was safe*,—notwithstanding all these and many other strange facts, yet it is thought that the present m——s cannot be FRIENDS TO THE PRETENDER.

The Tory ministry, as soon as they were in power, showed the most extravagant and unbounded marks of favour and affection for the Scots, some of whom were notorious enemies to the illustrious House of Hanover. Infinite numbers of Englishmen, who had proved themselves to be honest and well affected, were dismissed from all employments, civil and military, to make room for these slavish prerogative tyrants.

The object of the Tory ministry, after they had seated themselves in power, was to obtain a peace from France upon *any terms* that she would agree to, no matter whether the allies concurred in it or not. They knew they could not stand unless there was a peace. The French knew this; for the language confidently held at Versailles, upon Lord B——s being made Prime Minister, was, "that his lordship could not preserve his power unless he made peace." ("Review of Lord Bute's Administration.")

So determined were the ministry for a peace, *any* such as they could get, that when the King of Prussia, our



## PEACE OF UTRECHT, 1713.

famous, insecure, and scandalous conditions which were proposed, they immediately patched up a peace without them; and some of them, particularly the poor Catalans, were not only scandalously neglected, but basely betrayed, to the everlasting dishonour of the faith of the nation.

The reasons which the courtiers gave for concluding such a peace were, that we were undone by our successes, and that we had neither men nor money to carry on the war.

The peace condemned by the nation as treacherous, dishonourable, and insecure.

The allies, and particularly the Dutch, who had vigorously stood out for a *good peace*, but were compelled by the queen's Tory ministry to agree to the *bad one* that was made, abused and vilified by all the ministerial writers in the most scandalous and indecent manner.

The article of this infamous treaty, though *approved* by Parliament, which gave up the FISHERY (a matter of more real importance to Great Britain than everything else, because it was putting a sword into the hands of her inveterate enemy, which, in time, was drawn against herself), ran thus:—

Article XIII. The island called Newfoundland, with the adjacent islands, shall from this time forward belong, of right, wholly to Britain; and to that end the town and fortress of Placentia, and whatever other places in the said island are in possession of the French, shall be yielded and given up within seven months from the exchange of the ratification of this treaty, or sooner if possible, by the most Christian king, to those who have a commission from the Queen of

## PEACE OF PARIS, 1762.

PROTESTANT ally, refused to agree to the *terms* which they proposed, and his ministers in London entered a strong protest against those terms, they resolved to patch up a peace entirely without him, which was done accordingly; and he was thereby basely neglected, if not *betrayed*, to the everlasting dishonour of the faith of the nation.

The reasons which the courtiers gave for concluding such a peace, were, that we were undone by our successes, and that we had neither men nor money to carry on the war.

The peace condemned by the nation as ignominious, inadequate, and insecure.

The King of Prussia, who had refused to agree to a *peace* he could not but disdain, was abused and vilified by all the ministerial writers in a most infamous and scandalous manner; called *rebel*, *freebooter*, &c., though he had from the throne been styled, a *magnanimous prince*, and *good ally*: and the minister himself said, in the presence of the nobles of the nation, when the negociation was finished, or nearly so, that the dominions of this ally *were to be scrambled for*.

The following article in the Peace of Paris confirms the article in the Peace of Utrecht, relating to the FISHERY:—

Article V. The subjects of France shall have the liberty of fishing and drying on a part of the coasts of the island of Newfoundland, such as is specified in the 13th article of the Treaty of Utrecht; which article is renewed and confirmed by the present treaty (except what relates to the Island of Cape Breton, as well as to the other islands and coasts in the mouth and in the Gulf of St. Lawrence); and his Britannic Majesty consents to leave the subjects of the most Christian

## PEACE OF UTRECHT, 1713.

Great Britain for that purpose. Nor shall the most Christian king, his heirs, and successors, or any of their subjects, at any time hereafter, lay claim to any right to the said island and islands, or to any part of it or them. Moreover it shall not be lawful for the subjects of France to fortify any place in the said island of Newfoundland, or to erect any buildings there, besides stages made of boards, and huts necessary and usual for drying of fish; or to resort to the said island beyond the time necessary for fishing and drying of fish. But it shall be allowed to the subjects of France to catch fish, and dry them on land, in that part only, and in no other besides that, of the said island of Newfoundland, which stretches from the place called Cape Bonavista to the northern point of the said island; and from thence running down by the western side, reaches as far as the place called Point Reche. But the island called Cape Breton, as also all others, both in the mouth of the river St. Lawrence and in the gulf of the same name, shall hereafter belong of right to the French; and the most Christian king shall have all manner of liberty to fortify any place or places there. (*For this very article the Earl of Oxford was IMPEACHED.* See IMPEACHMENT, Article XIII.)

We will just spare room for one other *fact* (though a thousand more might be brought if we could give them a place), and the remarkable and spirited instructions of the City of London to their representatives, upon the restoration of an honest ministry, to inquire into the villanies of the ministry that made the peace; *viz.*—

“Among those who were *for* the peace, were the friends of France, and the enemies to the revolution.” (“History of the Peace of Utrecht,” p. 324.)

—From the *History of the Parliament of Great Britain from the Death of Queen Anne to the Death of George the Second.*

## PEACE OF PARIS, 1762.

king the liberty of fishing in the Gulf of St. Lawrence, on condition that the subjects of France do not exercise the said fishery but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent as those of the islands situated in the said Gulf of St. Lawrence. And as to what relates to the fishery on the coast of the Island of Cape Breton out of the said gulf, the subjects of the most Christian king shall not be permitted to exercise the said fishery but at the distance of fifteen leagues from the coasts of the Island of Cape Breton; and the fishery on the coasts of Nova Scotia, or Acadia, and everywhere else out of the said gulf shall remain on the foot of former treaties.

And by the succeeding article, in the said Peace of Paris, the islands of St. Pierre and Miquelon are ceded in full right to France.

We will just spare room for one other *fact* (though a thousand more might be brought, if we could give them a place), *viz.*—Those who were *for* the peace without doors, were the Scotch minister, his tools and his countrymen, of whose attachment he was certain, it being natural for them to hold with one another; there were very few English, except such as were in some way dependent on the ministry. All these were daily exposing the naked state (*as they called it*) of our own country to the enemy, decrying the *revolution*, and abusing our *allies*.

*Peace.*

"The *family compact* had been I know not how long before in agitation. But then it was that we saw produced into daylight and action, the most odious and most formidable of all the conspiracies against the liberties of Europe that ever has been framed. The war with Spain was the first fruits of that league; and a security against that league ought to have been the fundamental point of pacification with the powers who compose it. We had materials in our hands to have constructed that security in such a manner as never to be shaken. But how did the virtuous and able men of our author labour for this great end? They took no one step towards it. On the contrary they countenanced, and indeed, as far as it depended on them, recognised it in all its parts; for our plenipotentiary treated with those who acted for the two crowns, as if they had been different ministers of the same monarch. The Spanish minister received his instructions not from Madrid, but from Versailles.

"This was not hid from our ministers at home, and the discovery ought to have alarmed them, if the good of their country had been the object of their anxiety. They could not but have seen that the whole Spanish monarchy was melted down into the cabinet of Versailles. But they thought this circumstance an advantage, as it enabled them to go through with their work the more expeditiously."—BURKE, vol. ii. p. 43.

"Something, however, has transpired in the quarrels among those concerned in that transaction. It seems the *good genius* of Britain, so much vaunted by our author, did his duty nobly. Whilst we were gaining such advantages, the court of France was astonished at our concessions. 'J'ai apporté à Versailles, il est vrai, les Ratifications du Roi d'Angleterre, à votre grand étonnement, et à celui de bien d'autres. Je dois cela aux bontés du Roi d'Angleterre, à celles de Milord Bute, à Mons. le Comte de Viry, à Mons. le Duc de Nivernois, et en fin à mon scavoir faire.' (Lettres, &c., du Chev. D'Eon, p. 51.)"—*Ibid.*, p. 48.

*The Wealth of Bishops.*

"The clergy complain that they are sunk into contempt, and it is true; but whose fault is it? Their own. I defy them to show me a truly respectable clergyman who is not respected. But when the people see those who preach a contempt of the things of this world pursuing them for themselves with the most indefatigable industry and insatiable greediness, darkening in crowds the levees of kings and ministers, and there as abjectly as awkwardly flattering (and sometimes to a degree of profanation) riches and power, in hopes of sharing them, can they hope, or ought they to be respected? Surely not.

"The dignified clergy, and more particularly the bishops, are the chief cause of that contempt which they so grievously complain of. A bishop who has a bishopric of £3,000 a year, is more solicitous and impatient to get translated to one of a greater value than he was, when a country parson, to get a curacy of £30 a year added to his living of £100. He prostrates himself at the feet of



the minister, vows implicit obedience to the dictates of the administration, and pawns his political conscience for commendams and prebends, till a better bishopric comes to his share.

"If at last they obtain some of these overgrown and shamefully solicited bishoprics, do they increase their hospitality or their charities? Very seldom, and never in proportion to the increase of their incomes. This was the case of Chandler, late Bishop of Durham, who was eminently distinguished as the greatest miser in the kingdom, and who, besides a considerable sum which he is supposed to have paid for his bishopric, left his son an estate of £10,000 a year. And Sherlock, late Bishop of London, that doughty champion of the Gospel, whose mysteries he defended, but whose doctrine of meekness, benevolence, and charity he seldom practised, left above £120,000 to a nephew. There are many more instances of great fortunes amassed by the dignified clergy, from which one may form a true judgment of their hospitality and charity; and it is observable, that in all the lists of charitable subscriptions and donations, the widow's mite is even intrinsically heavier than the benefaction of a Right Reverend Father in God.

"Such is, in general—I do not say without exception—the characteristic of our dignified clergy; and yet they complain of the disregard and contempt which they meet with from the laity. Let them ask their own consciences if they deserve better. Was Archbishop Tillotson, was Hough,<sup>1</sup> Bishop of Worcester, was Benson, Bishop of Gloucester, ever disregarded or contemned? No, they were universally loved and respected, and almost adored by those who saw their virtues nearer."—*Chesterfield's Correspondence*, vol. v. p. 380.

*Correspondence with Mr. Legge on the Hampshire Election.*

"Upon the Duke of Bolton's accession to his title, in the year 1759, Mr. Legge was solicited to succeed his Grace as one of the representatives of the county of Southampton, his own seat in parliament chancing at that time to be vacant. . . . His competitor was Mr. Stuart, now Sir Simeon Stuart; and he found Mr. Stuart's interest adopted by a noble lord (Lord Bute), with whom Mr. Legge was not at variance, who had no apparent relation of any kind to the county, whom therefore Mr. Legge did not think of consulting before he resolved to comply with the desire of his friends.

"After the county had been canvassed on both sides, Mr. Stuart thought fit to decline, and Mr. Legge received the following letter:—

"*Downing Street, Nov, 25th, Monday Evening.*

"Dear Sir,—Lord Bute sent to me this morning, and told me, that having an opportunity of saving you, he had embraced it, and done you an act of friend-

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<sup>1</sup> "Hough's unsullied mitre."—POPE.

And he speaks of Benson's "manners and candour"—rare ingredients in a prelate!



ship; for that Mr. Stuart having been with him for advice, whether to leave or pursue the election, as some of Mr. Stuart's friends thought this critical season of an invasion hanging over the kingdom to be a very improper time for parliamentary contests, his lordship had determined the point for relinquishing the pursuit; in consequence of which, Mr. Stuart was to acquaint you with his resolution of declining a poll. Lord Bute added, that neither he nor the greater person whose name hath been used during the competition, would ever treat you with the more coldness for what had happened, your part having been taken under an ignorance of their views and intentions; that Lord Bute expected however, as he had a claim upon you in right of friendship, that you will concur with him, and give your aid to the person he shall recommend at a future election. I answered to the last point, that I knew not how far you would think yourself bound in honour to act with the body of Whigs on such an occasion; but if this consideration did not hinder, I was sure you would be happy to give him that or any other evidence of your respect for him.

“You will be pleased, therefore, to consider well, and (if you please) with the advice of your friends, before you give an answer on this head that may tie you down, for on that answer, you plainly see, very much will depend.

“I am, dear Sir,

“Faithfully yours,

“SAM. MARTIN.’<sup>1</sup>

“To this letter Mr. Legge returned the following answer:—

“*Holt, Dec. 5th, 1759.*

“Dear Martin,—I return you many thanks for your letter. Since I received it, I have had an opportunity of seeing a little more of the spirit and temper of the county, and can answer it better than I could have done sooner. Leicester House do me great justice in supposing I was totally ignorant of their concerning themselves at all in the Hampshire election at the time my engagements were taken. I am obliged to Lord Bute for any intentions he had to save me by the advice he gave to drop the opposition; but if Mr. Stuart, or his friend, had accepted the offer I made, with the concurrence of my friends, at the beginning, and as soon as I discovered what turn the election might take, every wish of Mr. Stuart's had been secured, the peace of the county never been interrupted, little less than £5,000 a piece saved to us both, and what is still of more consequence, a month's fermentation of parties been entirely prevented, which never fails to turn them all sour. Many of these good consequences had likewise been obtained if the gentlemen had consulted, and enabled Lord Bute to put an end to the contest before I left London, when you know how unwilling I was to push it to extremity.

“As to the event of the election, there was not the least doubt about it. The county was thoroughly canvassed, and upon as exact returns as I believe

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<sup>1</sup> This is the man afterwards employed to murder Wilkes.

ever are or can be made in a case of this kind; I could have given Mr. Stuart all the doubtful ones and all the neuters, in addition to his own poll, and yet have carried the election by a majority of 1,400.'

"Upon this answer, Mr. Legge received a verbal message from Lord Bute by Mr. Martin, Dec. 12, 1759, the purport of which was, as it stands upon Mr. Legge's paper, 'that he should bid adieu to the county of Southampton at the general election, and assist as far as lay in his power the Prince of Wales's nomination of two members.' To which message a categorical answer was required, and Mr. Legge sent the following, in writing, on the same day :—

" 'Mr. Legge—understanding it to be expected that he (who never had engaged at all in the county of Southampton if the intentions of Leicester House had been in time communicated to him) shall not only refuse to be chosen himself at the next general election, but assist Lord Carnarvon and Mr. Stuart, in opposition to those who have supported Mr. Legge at the late election—is determined to submit to any consequences rather than incur so great a disgrace.'

"Lord Bute sent a reply the same day, which Mr. Martin wrote down from his own mouth, in the following words :—

" 'The instant Mr. Legge represents himself as bound in honour not to decline standing for Hampshire at the next general election, Lord Bute is firmly persuaded that the Prince will by no means desire it of him; but he does, out of real friendship for Mr. Legge, beseech him to consider very seriously whether, *after triumphing over the Prince's inclinations at present, Lord Bute has any method left of removing prejudices that the late unhappy occurrences have impressed the Prince with*, than by being enabled to assure him that Mr. Legge will, as far as shall be in his power, co-operate with his Royal Highness's wishes at the next general election.'

"Mr. Legge returned the following final answer :—

" 'Though in fact Mr. Legge has been so unhappy as to find himself opposed to the Prince of Wales's inclinations, yet as to intention Mr. Legge feels himself entirely blameless, and has too high a veneration of the Prince of Wales's justice to think he will conceive lasting prejudices against any man for resisting those inclinations of which he was totally ignorant.'"—*History of the Minority*, p. 19.

#### *Bute's Adherents—Provision.*

"A few days before his resignation the following promotions were made :—

"James Stuart Mackenzie, brother to Lord Bute, Keeper of the Privy Seal in Scotland, £3,000 a year.

"Alexander Fraser, Esq., half-brother to Lord Bute, a Commissioner of Trade or Police in Scotland, £400 a year.

"Sir Robert Menzies, Bart., brother-in-law to Lord Bute, a Commissioner of Trade or Police in Scotland, £400 a year.

“ John Campbell, Esq., brother-in-law to Lord Bute, and Head Collector of Stamps in Scotland, a Lord of the Sessions in Scotland, £700 a year.

“ — Courtney, Esq., brother-in-law to Lord Bute, Commissary of Minorca, £800 a year, besides apartments for a deputy.

“ [Lady Bean Ruven, sister to Lord Bute, had a pension settled upon her of £400 a year soon after his present Majesty's accession.]

“ William Mure, Esq., one of the Barons of the Exchequer in Scotland, appointed in 1761 (and inspector of Lord Bute's private affairs in Scotland), Receiver-General of Jamaica, £600 a year, paid on the exchange, with a reversion to Robert Mure, Esq., his son.

“ Henry Wauchope, Esq., member of parliament for the Shire of Bute, and Deputy Privy Purse to his Majesty, a pension of £630 on the Irish Establishment.

“ John Home, Esq. (formerly Rev., now Esq.), author of the play of *Douglas*, for which his present Majesty, when Prince of Wales, settled a pension on him, Conservator of Scotland, at Campvere, £300 a year, without residence.”—*History of the Minority*, p. 130.

“ He [Bute] entered the Privy Council with a Prince of the Blood; he was honoured with the Garter in company with another Prince of the Blood; he obtained an English Peerage for his family, and the rangership of Richmond Park for himself; he secured valuable things to his brother and others of his kindred (*vide* the preceding note); and his friends acknowledged that he provided for all his dependants.

“ These were his rewards; now for his services. He was professedly the first or sole minister very little more than ten months; during which time he gave up to the enemy the most valuable of our conquests for a peace which very wise men think little better than a truce; he revived national animosities between the English and Scotch; he revived party distinctions among the English; he was the means of disgracing the best of our nobility, and of dismissing the ablest servants of the Crown; he stifled, by his conduct, the acclamations due from the people to their king; weakened the Crown by disposing of almost all the reversionary patents; turned out, with inhumanity, the innocent dependants of former ministers; increased the peerage beyond the example of any of his predecessors; borrowed public money on exorbitant terms, and invented a new excise.”—*Ibid.*, p. 132.

## CHAPTER III.

MR. GRENVILLE succeeded to Lord Bute on the very day of his resignation.<sup>1</sup> He had now attained the object of his far-reaching ambition. He was at the head of the new administration—holding the offices of First Lord of the Treasury and Chancellor of the Exchequer. He had acquired, from long experience and constant labour, an intimate knowledge of the details of business, and had become a debater of considerable eminence. Like most Englishmen, he failed where, in Mr. Burke's language, there was no precedent on the file—where the luminous and comprehensive views of a statesman, rather than the minute and accurate knowledge of a man of business, were required. But he was proud, as it was natural for a well-born gentleman of England to be, sensitive,

<sup>1</sup> April 8th.

"Mr. Grenville," says Pitt, "is universally able in all the business of the House."—*Chesterfield Correspondence*, vol. i. p. 106.

"I met Pitt, Lyttelton, and George Grenville, who, I believe, will make the most useful and able parliament man of the three."—*Glover's Memoirs*, p. 21.

Even Walpole says of him, "Beneath this rueful, unpromising outside, there lay lurking great abilities."—WALPOLE'S *George III.*, vol. i. p. 285.



and honest, as well as punctilious, narrow-minded, and fond of money; and though his overweening love of power had betrayed him into a grave offence against the constitution, by accepting office under Lord Bute, he was not at all disposed to submit to the vassalage which that minister required from all his creatures, or to become the unreasoning instrument of a court. The Earl of Egremont, his brother-in-law, a man of little application but good abilities, and the Earl of Halifax, held the seals of the two Secretaries of State. For a time this triumvirate imagined that it possessed substantial power. It was not long before it discovered its mistake.<sup>1</sup> The first great error of this administration displayed in a way not to be mistaken Mr. Grenville's cast of mind. He involved himself and his sovereign in a war with a reckless libeller, whom he thus raised at once from obscurity to importance. As these proceedings illustrate what I have said of the slovenly, confused, and short-sighted character of English jurisprudence where any principle is concerned—even in matters where it is most important for the welfare of the public, and most easily attainable,

<sup>2</sup> In the MSS. of Lord Chesterfield's letters discovered by the late Mr. Boold, and printed in Lord Stanhope's edition of his Works, there is this passage (vol. v. p. 477):—"The Triumvirate did nothing because they had not the power, and Lord Bute did nothing because, though he had the power, he would not have it thought that he had at present." "Business is reserved entirely for the nocturnal conferences with the Princess and Lord Bute."—*Ibid.*, p. 471.

that the law should rest on clear ascertained principles—I shall lay them at some length before the reader.

Mr. Wilkes has been already mentioned. He had suspended the *North Briton*—such was the name of his publication—on receiving intelligence that Lord Bute had left his office. But the respite was not of long duration. On the 23rd of April was published No. 45 of the *North Briton*, in which the sovereign was charged with having uttered—as uttered he certainly had—a deliberate falsehood from the throne, in that part of the speech where he ascribed to himself the honour of having obtained peace for the King of Prussia, whom, with such revolting baseness and callous perfidy, he had, in fact, abandoned and betrayed. That such an insult was not to be passed over, most men, even amongst those who condemned most loudly our conduct to the King of Prussia, were disposed to admit,—none but the populace were likely to sympathise with the author of such an audacious satire. But the violent and arbitrary proceedings of the court obliged the sober and decent portion of society to take part with the boisterous passions of the multitude, and the factious virulence of its idol.

The proceedings which arose out of this transaction would, among any civilised people but the English, have brought about a reformation of the absurdities

of our barbarous law, and have pointed the finger of public scorn at those who, for their own interest, had connived at and encouraged them ; but, as a keen observer remarks, “if the right hand of nonsense defended the king, her left defended the subject:” the jargon used on one side was encountered by jargon equally ridiculous on the other. Altogether, so bottomless a magazine of absurdities was laid open—such a mass of contradiction and chicane, as even the careful student of English law must read with something like amazement and disgust. That the subject should be deprived of his liberty only by a warrant issuing from a competent authority, specifically and intelligibly stating the ground of his arrest, might, after the Petition of Right and the Bill of Rights, be considered a fundamental doctrine of the English constitution. The battle had been fought over and over again during the reign of the Stuarts ; and though over and over again servile judges had sacrificed to the will of the Crown the essential rights of Englishmen ; it might have been hoped that the Revolution would have placed all these matters beyond dispute, and that whatever was the case where property alone was concerned, the principles which distinguish a free from an arbitrary government would, in England at least, be no longer questionable. So far, however, was this from being the case,—by such an overruling fatality are method



and precision excluded from the really important parts of our law, that the Secretaries of State had been uninterruptedly in the habit of issuing general warrants, as they were called—that is, warrants in which, without any attempt to define the offence, or without even naming any individual, they ordered their satellites to seize, under the name of libeller, or publisher, or printer, or persons concerned in the printing, with their papers, any one whom it was their object for the moment to intimidate or chastise. Such a warrant—described by the Lord Chief Justice Pratt as unconstitutional, illegal, and absolutely void—was issued by Lord Halifax against Mr. Wilkes, who, besides his right as an English citizen, was additionally protected by the circumstance that he was a member of parliament, and, therefore, liable to be arrested only for treason, felony, and breach of the peace.<sup>1</sup>

Wilkes was visited in his confinement by Lord Temple, who, at his request, applied to the Court of Common Pleas, over which Chief Justice Pratt then presided, for a writ of Habeas Corpus. Before the writ could be issued, Wilkes had been removed to the Tower, where admittance was refused to his friends and legal advisers. “I thought,” said Lord Temple, when access was denied to him, “that this was the

<sup>1</sup> This right was established in the fourteenth century. See Cotton’s “Abridgment of Record’s,” Henry VI., p. 596, sec. 57. Lake’s case.



Tower ; I see now that it is the Bastile.” The writ not being addressed to those who had now the custody of Wilkes, was unavailing, and a second was sent out, directed to the Constable of the Tower ; in consequence of which Wilkes was brought before the Common Pleas. He was released after argument, on the ground that being a member of parliament, and a libel being neither treason, felony, nor breach of the peace, he was entitled to his discharge. A prosecution was immediately set on foot against him by the Attorney-General.

Though the warrant was set aside by the Court of Common Pleas, the vindictive spirit of George the Third and his ministers was not so to be defeated. An *ex-officio* information for libel—an anomalous proceeding which still exists, extremely objectionable, specially complained of at the Revolution, and liable to gross abuses.—was employed against him. His commission as colonel in the Buckinghamshire Militia was taken away. His patron, Lord Temple, partly because the letter in which he conveyed the king’s commands concluded with an expression of regret, was deprived of the lord-lieutenancy of the county, and struck out of the list of the Privy Council. Wilkes, meanwhile, in the spring of 1763, brought an action against Lord Halifax, by whom the illegal warrant had been issued. But Lord Halifax, availing himself of all the forms

of delay which the contrivers<sup>1</sup> of our law had invented, "that the law might be an art" (in other words, to obstruct truth, and to make the triumph of substantial justice as nearly impossible as was consistent with the very existence of society), managed to postpone his appearance till November in the following year, before which time Wilkes had been outlawed. Lord Halifax then was able to plead in bar the outlawry<sup>2</sup> of the man whom he had injured, and to deprive him for the time of all redress. Such was English justice; such was the boasted impartiality of its proceeding towards the rich and the poor; such was the state to which the law had been brought by the venality, ignorance, and incorrigible

<sup>1</sup> Lord Hobart.

<sup>2</sup> "Jus est ars æqui et boni," said the Roman jurist. What follows is the English lawyer's illustration of the doctrine:—

"Original was issued, tested the first day of June, and returnable from the first day of the Holy Trinity, in three weeks (19th of June, 1763); and the earl being summoned, cast an essoign, which was adjourned until the 18th of November. Then he availed himself of his privilege, which being at an end, and all the essoigns expired, a distringas was taken out, tested the 9th of May, being the first day of Easter term, 1764, returnable from the day of Easter in five weeks (27th of May); the Sheriff returned forty shillings issues. The earl did not appear: the court directed fifty pounds issues. An alias distringas was taken out, tested the 30th of May, and returnable on the morrow of the Holy Trinity (18th of June); the sheriff returned his issues. The earl still refused to appear: the court ordered five hundred pounds issues. A pluries distringas was taken out, tested the first day of Trinity Term (the 22nd of June), and returnable in three weeks of the Holy Trinity (the 8th of July). In November following Mr. Wilkes was outlawed; then the earl appeared, and pleaded the outlawry."—*History of the Minority*.

Can an English lawyer, conversant with this foul coacervation of abuses, and trifles, and horrors, read the first chapter of the Pandects without a blush? The experiment might be useful to the Bench.

pedantry of those to whom the English blindly resigned the making it; and while—in spite, literally speaking, of the evidence of their senses—the inhabitants of this island, always the ready echoes of trivial phrases, vaunted on all occasions the wisdom and humanity of the shapeless heap of ferocious rules and absurd customs, expressed, as the note in the preceding page shows, in a most hideous and even brutish jargon; to which, so long as certain sounds were repeated in their ears by men dressed in a certain manner, they were content, like irrational animals, blindly to submit.

What I have just stated was disgraceful to the law; the proceedings in Parliament which, not to interrupt the thread of the narrative, I now lay before the reader, were equally scandalous to the legislature.<sup>1</sup>

The case of Mr. Wilkes<sup>2</sup> was the first question brought before them. Mr. Grenville stated that the king had caused John Wilkes, the member for Aylesbury, the author of a seditious and dangerous work, to be arrested and brought to trial.

The House of Commons, true to the character of an assembly that had sold itself to the minister, passed a vote of condemnation, expressed in language as acrimonious to the person accused as it was ser-

<sup>1</sup> 15th November, 1763.

<sup>2</sup> "Parl. Hist.," vol. xv. p. 1,360; "Grenville Papers," vol. ii. p. 135.



vile to the person accusing, and ordered the paper to be burnt by the common hangman. An attempt was made by Lord North at the same time to procure from this degraded assembly a decision on the question of privilege ; but this violation of decency Mr. Pitt, by a remonstrance delivered in the most earnest manner, was able to prevent till the 4th of that month. During the interval, an attempt to shorten matters by killing Wilkes had failed. This proceeding must be noticed ; and perhaps those who are prone to extol modern at the expense of ancient morality may find it useful to inquire whether, in any record of any free state of antiquity, any similar act of ferocious cowardice, to that which—I do not say according to the law, but according to the manners, of Christian England—a senator could perpetrate, without in any way losing his character in the class to which he belonged, or forfeiting the regard of an ostentatiously religious monarch, is to be discovered. The agent selected on this occasion—for that the whole was a contrived scheme can hardly be doubted—was a man named Martin,<sup>1</sup> a Scot, who was a follower of Lord Bute's, Treasurer to the Princess Dowager, and Secretary to the Treasury. This person passed several months in shooting with a pistol at a mark ; and having thus acquired great precision of aim, he who had passed over a gross

<sup>1</sup> See, in Appendix to chap. ii., his insolent and servile letters to Mr. Legge.



personal insult in a previous number of the *North Briton*, took the opportunity of the debate on No. 45 to use language to Mr. Wilkes which the latter could not, as society then was constituted, without infamy overlook.

The result was a duel, in which Mr. Wilkes, though not murdered, was dangerously wounded. The House of Commons, nevertheless, would not postpone the question of privilege; and on the 22nd came to a vote, in direct defiance of the sentence solemnly pronounced by a court of law, "that the privilege of Parliament does not extend to the case of writing or publishing seditious libels, nor ought to obstruct the ordinary course of law in the speedy and effectual prosecution of so heinous and dangerous an offence;" in other words, that a member of parliament could be arrested on a charge of libel; and it being admitted that he could not be arrested on any charge but that of treason, felony, or breach of the peace, that a libel was a breach of the peace. In this debate Mr. Norton, by gross and disgusting insolence, added to the turpitude of his character, and brought new disgrace upon the profession of which he was an eminent and most successful member. Mr. Pitt spoke strongly against this surrender of the privilege of Parliament, as highly dangerous to the freedom of Parliament, and an infringement on the rights of the people. No man, he

said, could condemn the *North Briton* more than he did ; but he would come at the author fairly, not by an open breach of the constitution, and a contempt of all restraint. This proposed sacrifice of privilege was putting every member of parliament, who did not vote with the minister, under a perpetual terror of imprisonment. To talk of an abuse of privilege, was to talk against the constitution, against the very being and life of Parliament. It was an arraignment of the justice and honour of Parliament, to suppose that they would protect any criminal whatever. Whenever a complaint was made against any member, the House could give him up. This privilege had never been abused ; it had been reposed in Parliament for ages. But take away this privilege, and the whole Parliament is laid at the mercy of the Crown. This privilege having never been abused, why, then, is it to be voted away ? Parliament, he said, had no right to vote away its privileges. They were the inherent right of the succeeding members of that House, as well as of the present ; and he doubted whether the sacrifice made by that House was valid and conclusive against the claim of a future Parliament. With respect to the *North Briton*, which had given a pretence for this request to surrender the privileges of Parliament, the House had already voted it a libel—he joined in that vote. He condemned the

whole series of *North Britons*, he called them illiberal, unmanly, and detestable. He abhorred all national reflections. The king's subjects were one people; whoever divided them was guilty of sedition. His Majesty's complaint was well-founded, it was just, it was necessary. The author did not deserve to be ranked among the human species—he was the blasphemer of his God, and the libeller of his king. He had no connection with him; he had no connection with any such writer: he neither associated nor communicated with any such. It was true that he had friendships, and warm ones; he had obligations, and great ones: but no friendships, no obligations, could induce him to approve what he firmly condemned. It might be supposed that he alluded to his noble relation (Lord Temple). He was proud to call him his relation; he was his friend, his bosom friend, whose fidelity was as unshaken as his virtue. They went into office together, and they came out together; they had lived together, and would die together.<sup>1</sup> He knew nothing of any connection with the writer of the libel. If there subsisted any he was totally unacquainted with it. The dignity, the honour of Parliament had been called upon to support and protect the purity of his Majesty's character; and this they had done, by a strong and decisive condemnation of the libel, which his Majesty

<sup>1</sup> “Nescia mens hominum fati, sortisque futura.”

had submitted to the consideration of the House. But having done this, it was neither consistent with the honour and safety of Parliament, nor with the rights and interests of the people, to go one step farther. The rest belonged to the courts below. When he had finished speaking he left the House, not being able to stay for the division.

The House resigned the privilege which had been so dearly purchased in better days, by a majority of two hundred and fifty-eight to one hundred and thirty-three. Lord North then moved to communicate this resolution to the Lords, and this was agreed to without a division. With great difficulty the Lords were prevented from passing the like vote on the very next day; but the Duke of Richmond, courtier as he was, had sense and spirit enough to prevent so flagrant a proof of their servility. On the 25th, however, by a majority of one hundred and fourteen to thirty-five—the Duke of Cumberland voting in the minority—they imitated the popular branch of the legislature, and, with an obsequious complaisance that hardly could have been exceeded by the courtiers of Versailles, and to which the noble conduct of the parliaments of France during this century presents a striking contrast, sacrificed their privileges also to the resentment and arbitrary purposes of the Crown. More, however, was yet done by this illustrious body.



The bottom of their submission was not yet fathomed. A proceeding was set on foot to complete the ruin of Mr. Wilkes, which in every part of it—in the act on which it was based, in the means used to procure evidence of that act, and the person who took the prominent share in the transaction—is so thoroughly characteristic of the utter disregard of all those principles of frankness, good-humour, and honesty which usually cover the faults of the English nature, that I may be excused for dwelling on it at greater length than such a transaction would otherwise deserve. Among the most profligate of the associates of Mr. Wilkes—consisting as they did of the most dissolute libertines which that dissolute age could produce—the most entirely shameless was the Earl of Sandwich.<sup>1</sup> Anxious to keep the favour of the king, who smiled upon him as a fitting and unscrupulous instrument of any scheme that it might suit the policy of his reign to forward, this man was now among the chief persecutors of his ancient associate. Among the papers found in the closet of Mr. Wilkes, when his papers were seized under an illegal warrant, besides a paraphrase of the “Veni

<sup>1</sup> “It is a great mercy that Mr. Wilkes, the intrepid defender of our rights and liberties, is out of danger, and may live to write and fight again in support of them; and it is no less a mercy that God has raised up the Earl of Sandwich to vindicate and promote true religion and morality. These two blessings will justly make an epoch in the annals of this country.”—*Chesterfield's Letters*, vol. iv. p. 375.

Creator," was a grossly indecent parody of the "Essay on Man," called the "Essay on Woman," with notes which, in the same humour, were supposed to be written by Bishop Warburton. Such a document, they thought, would ruin Wilkes for ever. But it was feared if advantage were taken by ministers of papers which had come into their possession by an act of downright violence, which left no man's desk or closet secure, this might be too severe a trial even for the patience of those majorities by whom they had hitherto been served so faithfully. Webbe, the solicitor to the Treasury, set his emissaries at work to procure another copy. The paper, of which only twelve impressions had been taken, was printed at a private press in Wilkes's house, which he had set up for the purpose of printing himself what it might have been impossible to find any printer to run the risk of publishing. A printer who thought he had reason to complain of Wilkes, gave a copy of this work to Kidgell, the chaplain of a most debauched nobleman, then called Earl of March,<sup>1</sup> afterwards well known as Duke of Queensberry. Kidgell showed the copy to the Earl of March. He took counsel of the Earl of Sandwich. These chosen champions of religion and morality urged the wretched priest to proceed. The whole poem thus came into the possession of Webbe, and

<sup>1</sup> See "Selwyn Correspondence," *passim*.

was transmitted and laid by Lord Sandwich before the House of Lords, in a speech more loathsome to every pious ear, from the canting hypocrisy affected by the frontless libertine who uttered it, than the obscene ribaldry of which it professed to complain. The next actor in this disgusting scene was Warburton,<sup>1</sup> Bishop of Gloucester, a man of some original genius, great acuteness, and extensive, not accurate, erudition; restless, irritable, insolent, and greedy of preferment.<sup>2</sup> He was a vigorous and sometimes an eloquent writer, destitute of taste and misled by paradox. He owed his elevation to Mr. Pitt, whom, after his kind, he hastened to abandon. It is difficult for any one who reads his principal work<sup>3</sup> to believe that he was a Christian. In controversy he was notorious for a scurrility of abuse, which formed as great a contrast as a scoffer could desire to the doctrine of which he was the advocate. This he now poured out upon Wilkes in a way that Saint Jerome might have envied,<sup>4</sup> and which was certainly without precedent in the House

<sup>1</sup> Warburton's learning came from the French, and especially from Bayle, on whom he has bestowed a spirited panegyric.

<sup>2</sup> See his letters to Mr. Grenville and Mr. Pitt, in the "Grenville Papers," in which his grasping and insolent character appears through the clumsy disguise of his affected phraseology.

<sup>3</sup> "The Divine Legation." He states all the objections to the Mosaic scheme without the answers.

<sup>4</sup> In the speech he made on this occasion, this meek transmitter of apostolic charity begged pardon of the devil for comparing Wilkes to him.

of Lords, though a resemblance to it may be found in Sir E. Coke's abuse of Raleigh, which, as Mr. Hume says, is a reproach, not only to Coke himself, but to the age in which he lived. The House of Lords immediately voted the paper blasphemous, and a breach of privilege against the Bishop of Gloucester. When Mr. Pitt was informed of these proceedings, he exclaimed, "Why do they not search the Bishop of Gloucester's study for heresy?" The House also voted that the Attorney-General should be directed to prosecute Mr. Wilkes. Thus was explained away and diminished a privilege declared with precision in the standing orders, repeatedly confirmed, and up to that time preserved inviolable, to serve a particular purpose, *ex post facto*, *ex parte*, and *pendente lite*, in the courts below. The execution of that part of the sentence which required the *North Briton* to be burnt provoked a violent demonstration of popular feeling. The sheriffs and the magistrate were assailed by the populace, as were the inferior officers of the law. The fragments of the libel were rescued from the flames, and, with the coarse humour of the English rabble, the popular opinion was expressed by consigning a large jack-boot and a petticoat to the flames.

Several actions were brought against the authors and instruments of the outrage committed under colour of law against Mr. Wilkes. That against Lord



Egremont abated by his death, an event which made a tottering government still weaker, and exposed them still more to Lord Bute's clandestine machinations. Mr. Wilkes, who had meanwhile withdrawn to France, was expelled the House of Commons, and made an outlaw. But before his expulsion, he had brought before the House of Commons a complaint of breach of privilege ; and a month after he had ceased to be a member this was the subject of a long and animated debate in the House of Commons. The vote was proposed "That a general warrant for apprehending and seizing the authors, printers, and publishers of a seditious libel, together with their papers, is not warranted by law." Though the bigotry of lawyers, aptly represented by Mr. Grenville, was shocked by the form in which the question was brought forward, it was in truth the best and most dignified way of encountering the evil which it was proposed to remedy. Voluntary declarations of what the law is, ought rarely to be made by the House of Commons ; but it was their undoubted right—a right established by many precedents—and their imperative duty, to censure, by their resolution, any prevalent illegal practice. Not that their resolution should be cited as law in our courts of justice on ordinary occasions, but to serve as a warning and an example to those who preside in them, and as a beacon to guide the practice of their fellow-

citizens. The duty of the House of Commons is to watch over constitutional law, and to redress any departure from its principles. That we cannot rely upon the judges for this purpose, ever biassed in favour of chicane and warped by favour to authority, is too clearly proved by many a dark and bloody page in English annals. The decisions they pronounced, the precedents they were not ashamed to set, during the critical period of our history, would soon have obliterated every trace of freedom among us, had it not been for the constant interference of the House of Commons. During the reigns of the Tudors and the Stuarts, they were for the most part pettifoggers,<sup>1</sup> selected for their known antipathy to reason and substantial justice, to rob or murder, under colour of law, those who had incurred the displeasure of the Crown. As Mr. Pitt said on this occasion, there is no violation of the constitution which they have not sanctioned. "I sit here," he said, with becoming spirit, "as the judge of judges." In spite of vulgar cant, it is an easily proved truth that no free nation owes so little to her judges as the English. They made our municipal law a chaos of absurdities, and (while they had anything to gain by it) they repeatedly endeavoured to mutilate the noble features of our constitution. An amendment was moved to

<sup>1</sup> In Tallemant des Réaux's *Memoirs*, a judge in Richelieu's day is defined, "vir bonus strangulandi peritus."

the original motion by Mr. Grenville,—“Although such warrant has been issued according to the practice of office, and has been frequently produced to the Court of King’s Bench, and, so far as appears to this House, the validity has never been doubted, but the parties have been bailed by the court”—a statement perfectly true, and thoroughly illustrating the value of commonplaces about English freedom, and the vigilance of the judges. Indeed, the very arguments of ministers amounted to a severe censure of the judges. “It is not to be supposed,” they argued, “that they who are always by the law supposed to be counsel for the prisoner—and cannot, therefore, but consider themselves as such—should overlook any flaw in an order to deprive a man of his liberty, though not taken notice of by the counsel of his own appointment,—men who have not only been so attentive to the spirit and letter of the law as often to decide cases on motives never urged by the counsel either for the plaintiff or the defendant, but so watchful of the very shadow of it, as sometimes to dismiss causes for want of a scrupulous compliance with mere exterior forms.” Another argument was an equally severe censure on the legislature. “That it must appear very extraordinary, if not ridiculous, that a House of Commons, which had made no law for the relief of the most innocent persons, even in domestic life, closely confined and

cruelly treated in private madhouses without any judicial proofs of insanity, and merely at the instigation of persons no way related to them, or only related to them enough to have an interest in their confinement and their death, should now take so much pains to declare illegal the comparatively mild detention of supposed offenders against the public, by persons so high in dignity." Two instances were cited in which Mr. Pitt himself had issued general warrants. That illustrious man defended himself with spirit and dignity. He told the ministers that their endeavour to evade the discussion proved the consciousness of guilt. He denied that in such a case precedent could supply any conclusive argument; and said, that when the warrants were issued he knew them to be illegal, but that he risked the danger, as he would have risked his head at a moment of great public danger (it was during the rebellion of 1745), for the salvation of the country. But, he said, there was no analogy between these cases, and the proceeding they had been alleged to justify. At a time of civil war, in the midst of foreign invasion, he had arrested two incendiaries just come from France, and concealed in different houses. This was the case of an ordinary libel. What was there in this so heinous and terrible as to require the use of so formidable an instrument, which, like an inundation, bore down all barriers and fences of public security



and happiness. Parliament had voted away its own privileges, and laid the personal freedom of every representative of the nation at the feet of the Attorney-General. "It is," continued Mr. Pitt, in one of the most celebrated passages in the speeches of English statesmen; "it is a maxim of our law that every man's house is his castle; not that it is surrounded by walls and battlements. It may be a straw-built shed, open to every wind of heaven; all the elements of nature may enter it; but the king cannot—the king dare not." He ended by saying, if the House negatived the motion, they would be the disgrace of the present age and the reproach of posterity; who, after sacrificing their own privileges, had abandoned the liberty of the subject upon a pretence wilfully founded in error, and manifestly urged for the purpose of delusion. The House divided, and the ministers carried their point only by a majority of two hundred and thirty-two to two hundred and eighteen, a most important vote and a great victory (as the House then was constituted) for the opposition. This is among the proofs our history supplies that a House of Commons, how corrupt soever, will show sooner or later some regard to the constitution, and though it may allow itself to be brought to the brink of the precipice, will not cast itself headlong; and this makes the great distinction between the House of Commons and the judicial

power, rendering the exorbitances of one so much less dangerous than those of the other. The remedy is always in the hands of the people against members who betray their trust. To assail a judge, as the history of England since the Revolution shows, is hopeless. To the corruption of crown lawyers and court prelates there is no limit;<sup>1</sup> and it would be easy to form a complete code of despotism—such as prevailed under the rule of Nero or of Amurath—from the doctrines that have often been inculcated from the bench and the pulpit as law and gospel. But even in the worst times—in the reigns of Charles the Second and of James the Second, even during the age of lead which elapsed from the death of the second Pitt to the close of the war with Napoleon—"the life is in the leaf,"<sup>2</sup> and there will always be found some exception to the corruption however gross, to the prejudice however dark, to the servility however flagrant, of the representatives of the English people.

During these proceedings the king had discovered

<sup>1</sup> Let me mention two noble exceptions to the general character of the decisions preserved in our reports. That in *Bushel's case*, in the worst days of Charles the Second, by Chief Justice Vaughan; and that of *Entick v. Carrington*, by Chief Justice Pratt, on the occasion mentioned in the text. But, as the satirist said of good men, such instances are few. There are not as many as the "*ostia Nili*" to be found in the thirty-six double-columned octavo volumes of our "*State Trials*"—a monument of judicial dulness, ignorance, and iniquity to which I have never found a parallel in the history of human folly and corruption.

<sup>2</sup> Dryden.

the vindictive spirit which was so prominent a feature of his character. He obliged Mr. Grenville to send him an account of every debate; and all who voted against the court, though with the utmost reluctance, and notwithstanding their systematic support of ministers on other occasions, were marked out as objects of proscription. No sooner had Parliament risen, than, imitating as far as he could, without actually putting his crown in jeopardy, the conduct which had brought destruction on the line of Stuart, he insisted on cashiering those officers who had voted on the side of law and the constitution. With his usual duplicity he ascribed this act of petty revenge to his ministers, and positively denied that he had any share in it; but the letters are now published which prove it to have been his own. He refers particularly to the case of General Conway<sup>1</sup>—a timid and vacillating, but on the whole an honest politician, and, for the time in which he lived, a high-minded man, whose chief fault was too much reluctance to oppose the court, in support of which, up to the time of this flagrant

<sup>1</sup> King to Mr. Grenville, Nov. 16, 1764 ("Grenville Papers," p. 162):—"General Conway's conduct is amazing. . . . I shall propose to Mr. Grenville dismissing him *immediately*." Grenville remonstrates, and begs for delay. Then there is another letter, Nov. 25 (p. 166), also from the king: "I . . . should propose dismissing General Conway from his civil and military commissions; also Mr. Fitzherbert, and any others; and giving it out the rest would have the same fate if they did not mend their conduct."

attack on all personal liberty, his vote had uniformly been given.

Colonel Barrè, Lord Shelburne, and other less conspicuous persons, were deprived, at the same time and for the same reason, of their commissions. Meanwhile, the condition of Mr. Wilkes—expelled by one House, censured by the other, under a double prosecution for libel and blasphemy, and abandoned by many of his warm supporters, who, though not averse to faction, were scared by his outrage against public decency—was now generally looked upon as desperate. The following passage from the pen of Mr. Burke, written at the time, presents a curious contrast to the events which afterwards took place, and which, brought about by the blind antipathy of the king and the folly of his ministers, raised this unprincipled demagogue from the dust, made him once more a member of the body from which he had been ignominiously expelled, lifted him to affluence, and enabled him for a time to win the sympathy of his countrymen; and, as often happens—as was the case at the trial of Queen Caroline—the instincts of the people were in the right. They saw Fox and Dodington peers, and the Earl of Sandwich First Lord of the Admiralty, and they knew that Wilkes was certainly, so far as morals were concerned, above their level. They knew that he was incapable of acting as a spy, or of



encouraging oppression. "This, however," says Mr. Burke, "completed<sup>1</sup> the ruin of that unfortunate gentleman who engaged for some time so great a part of the public attention, and whose wit, spirit, and good-humour, if not carried to such unwarrantable excesses, merited and would probably have met with a very different fortune."

<sup>1</sup> "Mr. Wilkes is universally given up."—LORD CHESTERFIELD, Nov. 24, 1763. Vol. iv. p. 374.

"Mr. Wilkes has imitated some of the great men of antiquity, by going into voluntary exile."—*Ibid.*, Dec. 31, 1763.

## CHAPTER IV.

FROM the very first moment when George Grenville became first minister,<sup>1</sup> George the Third, true to the system so agreeable to his crooked, insincere nature, of playing one set of ministers against another, and thus degrading all, had entered into negotiations for his overthrow. Lord Bute, though ostensibly removed from power,<sup>2</sup> was, in fact, the

<sup>1</sup> Lord Bute, notwithstanding the king's solemn promises and protestations, still continued to manage everything. This lasted certainly till the death of the Princess Dowager, Sept. 3, 1764. Lord Chesterfield writes, "France and Spain both insult us, and we take it too tamely. . . . I do not blame our ostensible ministers for this weak conduct, for it is certain they have not so much as *voix en chapitre* in those matters, and the secret, the real, and the only minister, is the most timid, irresolute man living." (Vol. v. p. 469, suppressed passage.) Again: "I own I cannot see why Lord Bute should not publicly resume the power he really engrosses, and which makes him but the more unpopular for disowning and trying to conceal it, as a prude with child is always less spared than a coquette; for it is 'omnibus et lippis notum et tonsoribus,' that he names absolutely to every employment, civil, military, and ecclesiastical, and that the ostensible ministers might as well walk on foot." (Suppressed passage, *ibid.*, p. 469.) I am the more careful to accumulate these conclusive proofs of Lord Bute's clandestine influence, as Lord Brougham has, in his admirably written "Characters," lent his authority to the opposite opinion, which the materials now in our reach entirely contradict. Again: "Business is entirely reserved for the nocturnal conferences between the Princess and Lord Bute."

<sup>2</sup> "Lord Bute is certainly playing *un dessous des cartes*."—CHESTERFIELD, vol. iv. p. 307.

prompter of these clandestine proceedings, in spite of the solemn assurances George the Third had given to Mr. Grenville that he should no longer exercise any influence over his councils. At his suggestion, offers were made to Mr. Pitt, the Duke of Newcastle, and Lord Hardwicke, without the sanction or even privity of the responsible advisers of the Crown. At the same time, and while pretending a desire to strengthen and enlarge the basis of the government, George the Third refused to comply with Grenville's recommendations. That minister desired to make Lord Hyde Chief Justice in Eyre, and the Duke of Leeds President of the Council ; in both instances he was met by a refusal. Convinced, from these and other circumstances, that the king was playing them false, the three ministers, Grenville, Egremont, and Halifax, took an occasion to expostulate with him. Their remonstrances, as usual, were answered by strong protestations on the part of the king, of the loyalty of his purposes towards those whom he was casting about in all directions for means to put aside. By this time the Duke of Bedford had utterly renounced all intercourse with Bute, and spoke of him on all occasions with bitter animosity. The Duchess refused, on her return from Paris, to wait on the Princess Dowager.

The death of Lord Egremont, which took place August 21st, 1763, brought to a point the negocia-

tion which had been long pending between Lord Bute and Mr. Pitt. The Duke of Bedford had already urged the king to send for him, saying it was the only way to make peace at home as well as abroad. This led to a remarkable negociation ; and though the duplicity of George the Third discovers itself on almost every similar occasion, it was never more signally conspicuous than in every part of this transaction. Lord Halifax and Mr. Grenville repeatedly told George the Third "that his Majesty had three options—either to strengthen the hands of his present ministers, or to mingle them with a coalition from the other party, or to throw the government entirely into the hands of Pitt and his friends. The king said, over and over again, the last was what he never could consent to."<sup>1</sup> Nevertheless, Lord Bute had already written to the Duke of Bedford ; but that great nobleman, not willing to add to his excessive unpopularity, and having by this time gained a clear insight as to the true character<sup>2</sup> of the treaty which he had been employed, as the tool of the powerful minion, to negotiate, wrote in reply a cold and guarded letter, advising that recourse should be had to the Whig connection, which the king had proclaimed ostentatiously that

<sup>1</sup> Diary, August 23, 1763. "Grenville Papers," vol. ii. p. 194.

<sup>2</sup> "The Duke of Bedford swears he will have Lord Bute attacked in both Houses."—CHESTERFIELD, Nov. 25, 1765. Vol. iv. p. 411.



it was his intention to destroy. A second application was made on Lord Egremont's death, and this time the Duke of Bedford recommended that no time should be lost in making an application to Mr. Pitt, and that Mr. Pitt should be allowed to dictate his own conditions. The king in the meantime communicated to Mr. Grenville, long after the facts had been quite notorious to him,<sup>1</sup> his intention to make Pitt first minister. Pitt accordingly went openly to court, and there, in an audience of four hours, stated the terms on which alone he would accept the responsibilities of office. The great revolution families were to be restored to power; Lords Mansfield and Holland were on no account to have any share in the government. The supporters of the Peace, and the Duke of Bedford especially, to be removed; the Peace itself not to be broken, but ameliorated.

Mr. Pitt left the king under the full impression that the conditions would be accepted; and Mr. Grenville, who had an interview with the king, left him also with the conviction that his administration was at an end. Both, however, were mistaken. Two of Lord Bute's creatures, Elliot and Jenkinson<sup>2</sup>—

<sup>1</sup> Friday, 26th Aug., 1763. "The king opened to Mr. Grenville his intention to call Mr. Pitt to the management of his affairs. . . . Mr. Grenville expressed his surprise and concern; . . . put the king in mind of his Majesty's late declarations on the subject, that he rather would submit to any extremities.' &c.—Diary, p. 195. vol. ii., *Grenville Papers*.

<sup>2</sup> Sunday, 28th Aug., 1763, "Lord Bute went in the morning to Kew, where he

for on such beings, where courts are concerned, does the destiny of millions sometimes hang<sup>1</sup>—had, during the short interval which elapsed between Pitt's conversation with the king and his next visit, filled their patron with solicitude. They pointed out to him the danger that must arise to the influence, which it was his own and his master's great object to establish, if the great Whig families were restored to power. Terrified by this suggestion, Bute hastened to his royal pupil, and, retracting all his previous advice, urged him not to venture on so dangerous an experiment. Counsel so congenial to the nature of him to whom it was given was certain not to be disregarded. In a few short hours the political scene was changed once more. The king withdrew from his engagements. He sent for Mr. Grenville,<sup>2</sup> related to him all the conversation that had passed in strict confidence between himself and Mr. Pitt; said "he would rather die in the room where he was standing" than submit to such exorbitant demands; and entreated the minister whom he abhorred, not

saw Mr. Elliot and Mr. Jenkinson, when they had a long discourse with him, in which they terrified him so much upon the consequence of the step he had persuaded the king to take, that he determined to depart from it, and to advise the king to send for Mr. Grenville."—*Grenville Papers*, vol. ii. p. 197.

"Jenkinson was now Secretary to the Treasury; Elliot, Treasurer of the King's Chambers: both trembled for their places, so evidently and completely was the king under the influence of Lord Bute."—*Ibid.*, vol. ii. p. 95.

<sup>1</sup> A discarded mistress prevented the return of Lords Grey and Grenville to power in the regency of George the Third's son.

<sup>2</sup> Diary, 28th August, 1763, "*Grenville Papers*," vol. ii. p. 199.

only as a politician but as a man, to save him from the ignominy of submitting to the yoke of constitutional government. Grenville, after again adjuring the king to suffer no secret influence to prevail against those to whom he trusted the management of affairs, and again receiving the solemn assurances of the sovereign that no such influence should be tolerated,<sup>1</sup> again submitted to play the unworthy part the king and Bute assigned him, and agreed to hold office on condition that there should be no secret influence—a promise George the Third easily made and as easily violated. After the king had assured Mr. Grenville that the negociation with Mr. Pitt was over, on the 28th August, the very next day, Lord Bute, by his desire, made through Beckford another offer to Mr. Pitt, to which Pitt refused to listen;<sup>2</sup> and yet this incorrigible intriguer—because to this low cunning he joined the prejudices and pursuits of a country farmer—was revered by the great mass of the English in the early part of this century as an honest man.

Still the struggle was not over. Bute was informed of the sturdy language of Mr. Grenville, and made another desperate attempt to release his

<sup>1</sup> Diary, 28th August, 1763, "Grenville Papers," vol. ii. p. 199.

<sup>2</sup> "Observe," says Mr. Grenville, "that this extraordinary offer was made by Lord Bute *after* the king had told Mr. Grenville he looked on the negociation with Mr. Pitt as over."—*Ibid.*, p. 202.

master from all control. He endeavoured to shake Pitt's resolution. Pitt, however, remained inflexible. He was resolved—well would it have been for him if he had adhered to the resolution—that his name should not be the cloak of the criminal designs of Bute and his master against the constitution. George the Third in his next interview with this statesman carried his hypocrisy so far as to propose, what he certainly never intended should take place, that George Grenville should have the place held by Fox of Paymaster<sup>1</sup>—a proposal that, with his wonted disregard of truth, he declared afterwards had never emanated from him—and mentioned Lord Northumberland for the Treasury. The nomination of a person,<sup>2</sup> whom a splendid marriage had raised from an extraction less than obscure, to so exalted a post, was explained afterwards when the son of that nobleman married Lord Bute's daughter.<sup>3</sup>

<sup>1</sup> A few weeks before he had told Lady Caroline Fox that he never would forget his obligations to her husband.

<sup>2</sup> Mr. Pitt said Lord Northumberland might be provided for, but he certainly should not have thought of him for the Treasury.—*ALMON*, vol. i. p. 384.

<sup>3</sup> "Private junto met at Stone's (the brother of the Primate): Stone's brother, Lord Bute, Lord Warkworth, Lord Mansfield, and Sir Fletcher Norton."—*Rockingham Memoirs*, vol. i. p. 189.

"As for our public affairs, they are in great confusion. Lord Egremont is dead. A crude attempt has been made by Lord Bute to bring in Mr. Pitt, and some of the heads of opposition. Pitt had a conference with the king. Pitt's demands were thought too high. . . . The Duke of Bedford has since been made President of the Council. Lord Halifax and George Grenville continue in their offices, though the negociation with Mr. Pitt was opened without their participation. . . . This state of things does not seem made for duration. . . . In the meanwhile, the French, seeing the weakness of our government,



At length the miserable juggle ended, by the king declaring to Mr. Pitt, in the tone of his models, the Stuarts, "I see this will not do; my honour is concerned, and I must support it."<sup>1</sup> The king's regard to his honour did not, however, prevent him from betraying to Mr. Pitt's enemies what had been said in strict confidence between that statesman and himself; nor, indeed, from deliberately misrepresenting the scheme and propositions of Mr. Pitt,<sup>2</sup> and ascribing to him language that he never had employed, in order to provoke the animosity of his opponents, and to lessen the confidence of his friends.<sup>3</sup> If, instead of gravely consulting his bishops how he should be dressed when he took the Sacrament, George the Third had endeavoured to recommend himself to his Maker, by sincerity, a strict regard to truth, and preferring the welfare of millions to the gratification of his own personal feelings and vindictive hatred, he might have been less praised by

do not execute some of the important articles of the peace. . . . Our stocks fall very low; the people are full of discontent."—*Lyttelton's Letter*, Sept. 27, 1763, ROBERT PHILLIMORE'S *Life of Lyttelton*, vol. ii. p. 642.

"Indifference and distrust are become habitual; . . . the national spirit is subdued."—*Letter from C. Townshend*, May 2, 1764. *Ibid.*, p. 655.

<sup>1</sup> "The pains taken to propagate the misrepresentation first made of Mr. Pitt's conduct are infinite, and the story of the court turns chiefly on the points and persons stated to me at Missenden."—*Charles Townshend to Earl Temple, Grenville Papers*, vol. ii. p. 120.

<sup>2</sup> "Bedford Correspondence," vol. iii. pp. 238—241.

<sup>3</sup> The king told Lord Hertford that Mr. Pitt proscribed several—particularly his friend Lord Powis; had said little of Mr. Legge, still less of the Duke of Grafton.

bigots and time-servers, but he would have shown a better sense of his duty to God and man.<sup>1</sup> But that bigotry and a low standard of morals are inseparable, is among the most useful, as it is one of the most certain, lessons inculcated by history.

The consequence of the failure of this intrigue—it deserves no better name—was, that George the Third took back his old ministers, fortified by the addition of the Duke of Bedford<sup>2</sup> (who seems really to have acted throughout this affair with a desire to promote the public good) and his followers. Lord Sandwich was made Secretary of State. Lord Egmont was placed at the head of the Admiralty. Lord Hillsborough, on the resignation of Lord Shelburne, who had now abandoned Bute for Pitt, was made President of the Board of Trade. Stipulations were distinctly made, and fully assented to by George the Third, that Lord Bute should be removed from his councils, and even from his presence—nay, that, to set the public mind at rest, he should, for

<sup>1</sup> Lord Shelburne “felicitates Mr. Pitt personally and very sincerely on a negotiation being at an end, which carried through the whole of it such shocking marks of insincerity.”

<sup>2</sup> See Lord Sandwich’s letter assuring Mr. Grenville of the Duke of Bedford’s assistance; and Mr. Grenville’s letter to the Duke, assuring him the Presidentship of the Council. (“Grenville Papers,” vol. ii. p. 168.) After this surely it cannot be doubted that Grenville was first minister. Mr. Burke distinctly alleges that he was. “There remains nothing now to be considered except his (the writer’s) heavy censures upon the administration which was formed in 1765, which is commonly known by the name of the Marquis of Rockingham’s Administration, as the administration which preceded it is by that of Mr. Grenville.”—BURKE’S *Works*, vol. ii. p. 146.

the present at least, cease to inhabit the metropolis ; such was the terror which the system of favouritism had inspired, and such the humiliation to which George the Third,<sup>1</sup> by aiming at unconstitutional authority, had made it necessary that he should submit. The stipulations so solemnly made were speedily violated, and everything again flung into tumult and confusion.

Disputes soon arose for patronage. The management of the House of Commons required the exact knowledge of those who had taken bribes from the minister, and the disposal of those offices which might ensure a sufficient support.<sup>2</sup> This was pre-

<sup>1</sup> See Mr. Grenville's letter to Lord Strange, "*Grenville Papers*," vol. ii. p. 106.

"I told his Majesty . . . that the success of these endeavours must depend on the king himself, and upon the cordial union of all such as were attached to his service. . . Lord Bute has declared . . . that he is determined to retire, and to absent himself not only from the councils, but from the presence and place of residence of his Majesty, until the suspicion of his influence on public business shall be entirely removed." "Lord North assures me," says Charles Townshend, "ministers are not to be duped, and will resign if Lord Bute has any influence."—*Grenville Papers*, vol. ii. p. 133.

<sup>2</sup> The Stocks fell to 90 $\frac{3}{4}$ .

<sup>2</sup> "Among the instances of the king's duplicity, was the appointment, in spite of Mr. Grenville's strong remonstrances, of Sir William Breton—a creature of Lord Bute's—to the Privy Purse."—*Grenville Papers*, vol. ii. p. 209.

Lord Chesterfield writes to his son—"Lord Sandwich has, I believe, given you a pretty true account of the present state of things; but my lord is much mistaken, I am persuaded, when he says that the king has thought proper to re-establish his old servants in the management of his affairs, for he shows them all the public dislike possible, and at his levee hardly speaks to any of them, but speaks by the hour to anybody else, especially to those who belong *ever so remotely to Lord Bute*."—*Ibid.*, vol. v. p. 470. Suppressed passage:—"Both the king and Lord Bute would sooner take in the devil than re-establish his old servants in the management of his affairs."



cisely that part of the business of a minister from which Mr. Pitt had recoiled in disgust; and that which, in the eyes of Fox, and Newcastle, and Sandwich, made such an office worth holding. Meanwhile, the want of ability under the new ministry was such that no man expected it to last.<sup>1</sup> About this time the Princess Augusta was married to the hereditary Prince of Brunswick, a valiant soldier, and a general of some ability. She became an ill-used and neglected wife; but her lot was the vision of a poet compared with that which awaited her daughter, wretched among wretched women, who gave her hand to George the Fourth.<sup>2</sup> Shortly afterwards, another sister of the king's—Caroline Matilda, a beautiful, intelligent, and lively girl—was married to a miserable creature, the Prince Royal of Denmark.<sup>3</sup> Her fate was still

<sup>1</sup> "There is no man among them," says Lord Chesterfield, "who has understanding enough to call a coach."

<sup>2</sup> "Animo per libidines corrupto nihil honestum inerat."

<sup>3</sup> Whether this unhappy woman had been faithless to her husband admits of some doubt. She denied it in her dying moments to the clergyman who attended her. Struensee confessed it to the commissioners, and, what is more important, to Dr. Munter, if the narrative published under the eye of the poor queen's persecutors can be depended upon. The first statement might, indeed must, have been (if it did not come from the vilest of mankind, as no one else would mention such intercourse) extorted by the fear of torture; and therefore, taken any way, is of no value. The queen's own signature to the confession extorted by her persecutors, proves nothing but the malice and cruelty of her enemies. Shack showed her Struensee's confession, and intimated that if the statement was false, he would suffer a death of torture. "Do you believe," she said, "if I was to sign that declaration I could save the life of that unfortunate man?" Shack bowed. The queen then wrote the first syllable of her name



more deplorable than that of her sister. Before she was twenty-one she was a state prisoner, and held up to the scorn of Europe as a faithless wife. Before she was twenty-four she filled a most timely grave, a victim to the ignoble pride and merciless folly of her race. But neither these examples, nor the tragical fate of his own great-grandmother, prevented George the Third, aided by the wonderful servility of the legislature, from raising and preserving a monument to his insane pride, such as it might be supposed no free country would endure, in the Royal Marriage Act.<sup>1</sup>

and fainted away. To this unspeakable degradation was the unhappy lady exposed, because the blood from which Elizabeth, and Anne, and Cromwell had sprung was not thought pure enough for a scion of a German race, till lately most obscure; as if gentle *free* blood was nothing, and the well-educated daughter of a well-born Englishman was not the superior of any little prince or titled slave in Germany. Her husband was one of the most abject of mankind—in feeling, sense, education, and honour, probably far below most English peasants. She had been subjected by him to every kind of brutal caprice, and even actual violence, though to gratify his humour she rode with him in a man's dress. He encouraged the Russian ambassador to insult her, and never treated her with decency. When asked why he treated so charming a creature so ill, he only answered, "*Elle est si blonde.*"

<sup>1</sup> "It is difficult," says Mackintosh, "to contain the indignation which naturally arises from the reflection that at this very time, and with the full knowledge of the fate of the Queen of Denmark, the Royal Marriage Act was passed in England for the avowed purpose of preventing the only marriage of preference which a princess at least has commonly the opportunity of forming. Of a monarch who thought so much more of the pretended degradation of his brother than of the cruel misfortunes of his sister, less cannot be said than that he must have had much less pride than tenderness. Even the capital punishment of Struensee for such an offence will be justly condemned by all but English lawyers, who ought to be silenced by the consciousness that the same barbarous disproportion of a penalty to an offence is sanctioned in like case by their own law."—*Works*, p. 467, ed. 1851.

Having, to avoid breaking the thread of the narrative, mentioned these incidents in the royal family—for in Gothic Europe the marriage of a Princess, the ill-humour of a king, the caprice of a mistress, fill the space that in ancient history is occupied by struggles for freedom, and the deeds and words of patriots—I shall now state the events which immediately preceded the final overthrow of Mr. Grenville's administration.

The peace of 1763 had, to all appearance, established the English power in America on an immovable foundation. France had been forced to surrender to us Canada, Cape Breton, and Louisiana to the east of the Mississippi,—the remainder of that province had been generously ceded by her to Spain as a compensation for Florida, which Spain had been compelled to yield to us as the price of peace. Over Canada we still exercise a precarious and nominal dominion. All the rest of that vast empire, once knit to us by ties that, light as air, might have been as strong as links of adamant—inveterate habit, kindred blood, common associations, common names, and a common idiom—has ceased to obey the sway of England because the blood of those who sought liberty in a desert ran in the veins of those who inhabited it, and to live under her dominion and to enjoy the rights of freemen was impossible. That, in the course of years, the United States

would separate from England, was according to the laws which govern the progress of society ; but the crisis was precipitated, and the animosities by which such an event must ever be attended were exasperated, by the folly of ministers, the rancorous obstinacy, of the sovereign, and the short-sighted pedantry which, wherever a great question is at stake, has ever since the middle of the seventeenth century characterised the proceedings of the English legislature. If the most malignant and sagacious enemy England ever had, had been entrusted with the management of our councils, he could not have devised any schemes more surely fatal to our power and our prosperity—any that would lower more deeply the reputation of our arms and councils, or that would tend more directly to strip us of that moral strength which, whatever may be said by a certain class of politicians, is the most important element of the power of nations—than the measures which Mr. Grenville brought forward, and which, after a feeble opposition, not half so strong as that usually provoked by a turnpike or a canal bill, passed through the House of Commons. At this time thirteen British colonies lay between our recent conquests, Canada and Florida : all,—except Georgia, which had been founded by General Oglethorpe in George the Second's time, in great measure, Virginia and the Carolinas almost entirely,—owed their origin



to the intolerance and persecution of the Church of England. The four governments of New England were founded by the Puritans who fled from Laud and Wren,<sup>1</sup> from the bishops, the Star Chamber, and the High Commission Court. The Roman Catholics established Maryland, and the Quakers Pennsylvania. Virginia, peopled from the stock of our ancient gentry, was proud of an enthusiastic loyalty, and boasted that it had been the last to recognise the authority of Cromwell, and the first to proclaim Charles the Second. As might be expected the inhabitants of that country were eminently tenacious of English manners. So were the natives of South Carolina—if reliance can be placed on the evidence of Dr. Franklin. All these noble dependencies relied with implicit confidence on the justice of Parliament, and were strongly attached to the mother country; the idea of rebellion never occurred to them. It seemed difficult to convert such a people into bitter enemies; but this, in a few short years, the policy of a nation always boasting of its practical wisdom and of its scorn for theory, completely, and as history but too clearly shows, irrevocably accomplished. At this time, besides the enormous quantity of foreign goods which they received through us (for their whole

<sup>1</sup> Lord Clarendon describes Wren as “a man of a severe, sour nature, but very learned, and particularly versed in the old liturgies of the Greek and Latin churches.” Fortune enabled this wretched bigot, instead of ruining a school, or tormenting a college, to depopulate a province, and to kindle a civil war.



import trade<sup>1</sup> was from Great Britain), we had a monopoly of all their export trade, so far as it could serve our purposes. All their produce was sent to us raw ; everything they took from us was in the last stage of manufacture. Their seas were covered with our ships ; their rivers were floating with our commerce. The American merchant was nothing more than the factor of the English merchant. The debt due from America to England was reckoned at four millions. The trade was annually worth to us four millions more ; and it was from these colonies, so entirely subservient to English revenue—a people compelled to export raw and to receive manufactured articles, down to those of the grossest and most necessary consumption—that the minister, to gratify the short-sighted avarice of the country gentlemen, now proposed to draw a direct revenue.<sup>2</sup> The first beginning of this new system was increased severity in the collection of the customs. Regulation was added to regulation, and the strictest orders were given for the prevention of all contraband trade both in England and America. On the latter country this fell severely and indiscriminately. Recourse was had to a new experiment. Ministers attempted to apply the same rules to prevent

<sup>1</sup> The legislature had even gone so far as to restrain the number of hatter's apprentices in America !

<sup>2</sup> Jenkinson, not Grenville, appears to have been the author of the scheme.

smuggling on the vast seaboard of America which they were barely able to enforce by much bloodshed on the coasts of Great Britain.<sup>1</sup> The naval officers stationed off the coasts of America were obliged to act in the capacity of revenue officers, and soon displayed against their fellow-subjects the same impetuosity and disregard of forms which, in the late war, had so gloriously distinguished their exertions against the common enemy. Utterly ignorant of revenue business and the rules of law, they knew as little when ships were liable to these penalties as when they were exempt from them, and thus disappointed the expectations of the Treasury to the full as much as they injured the interests of trade. The only redress for their mistakes, and the innumerable acts of oppression into which they were perpetually transported, was to be found in Europe; and in order to obtain this, it was necessary to go through all the forms of a regular application to the Lords of the Admiralty or the Commissioners of the Treasury—a necessity which, unless in very flagrant instances, would, of course, make all idea of seriously prosecuting such an attempt chimerical. But this was not

<sup>1</sup> “We depend on the sea-guard as the likeliest means for accomplishing these great purposes.”—*Treasury Minute*, cited by BANCROFT, vol. ii. p. 181.

“The country to the westward of our frontier was intended for a desert.”—LORD BARRINGTON, cit. *ibid.*

“The valley of the Mississippi was forbidden to the settler.”—*Ibid.* p. 186.  
Grenville's character, *ibid.* p. 200.

all : a trade had long been carried on between the British and Spanish colonies in the New World, the materials of which were British manufactures on one side; and gold and silver, drugs, live stock, and above all, mules and cochineal, which in the West India plantations<sup>1</sup> were of enormous value, on the other. This trade, which up to this time had always been allowed, the new revenue officers, who were animated by the most direct and urgent motives of material interest, immediately attacked. It was not to be expected in any age, certainly not in the age of which I am writing, that any body of men who had rich prizes within their grasp should, from abstract motives, neglect the means of acquiring opulence. Another trade was carried on at the same time between the British American colonies and the French West Indian colonies. This had been suspended during the recent war, but was again flourishing when, together with the trade between us and the Spaniards, it sunk under the blow levelled at it by the home government. The immediate consequence was, that the English colonists,<sup>2</sup> finding the

<sup>1</sup> "The British government, sensible that these branches of commerce did not contravene the spirit and purpose of the Acts of Navigation, and were attended with great advantage to the American colonies and their parent state, connived at them so broadly that they were pursued without disguise or molestation."—GRAHAME, vol. iv. p. 172.

<sup>2</sup> The colonists could not export sugar, tobacco, cotton, wool, or indigo, or dyeing woods, nor molasses, nor rice (with some exceptions), nor beaver, nor peltry, nor copper ore, nor pitch, nor tar, nor turpentine, nor masts, nor yards,

supplies of money on which they depended to meet the drain of the mother country suddenly cut off, came to the resolution that, unless under the most urgent necessity, they would purchase no clothing that was not of their own manufacture. The obstruction of the internal commerce of America thus acted at once upon the home market, and flung numbers of artisans, who had been employed in supplying the Americans with goods, into extreme distress. At the same time the intercourse of our colonies with other European colonies was loaded with duties that amounted almost to a prohibition, and the money arising from these duties was to be paid in specie to the English Exchequer; and, as if all these causes of exasperation were not sufficient, at the same time these new duties were levied on

nor bowsprits, nor coffee, nor pimento, nor cocoa-nuts, nor raw silk, nor whale-fins, nor hides, nor skins, nor pot nor pearl ashes, to any place but Great Britain—not even to Ireland; nor might any foreign ship enter a colonial harbour. Victuals, horses, servants, might be imported from Ireland; salt into New England, New York, Pennsylvania, and Quebec. Wines, paying a duty, to be sent to England from the Madeiras and Azores. They might not carry wool from one province to another. A sailor, by a special Act, was prohibited from purchasing in their harbours more than forty yards of woollens. The Bible could not be printed in any of the colonies. Bancroft says it never was printed in the English tongue till after the separation from England. To work with a tilt hammer, slitting mills, steel furnaces, plating forges, were prohibited throughout the country. In return, every encouragement was given to the slave trade. Seventy-nine ships had sailed on that trade from Liverpool in 1764, and had imported to the West Indies and the main-land more than 15,300 negroes. New duties were to be levied on silks, calicoes, foreign linen, French lace, Portuguese and Spanish wines, imported in British ships directly. Stamp duties were to be paid throughout all the American colonies on or after the 1st day of November, 1765.



their foreign trade, a vote passed the House of Commons, "That towards defraying the necessary expense of protecting the colonies, it may be proper to charge certain stamp duties upon them."

This intelligence reached America precisely at the moment when the colonists had succeeded, with terrible loss and great difficulty, in repelling a desperate and well-contrived attack of the Indians, carried on with all the hideous circumstances of savage warfare. Irritated by constant encroachments, and the disregard of complaints probably but too well founded, the Indians burst like a tempest over the soil occupied by their oppressors, and laid waste all they could reach with fire and sword. All the frontiers of Maryland, Pennsylvania, and Virginia were deserted; convoys of merchandise were intercepted; whole garrisons surrounded and destroyed; others were systematically blockaded; and though, by the skill and valour of Colonel Bouquet, and the address of Governor Sir W. Johnson, who succeeded in detaching the Indians of the Six Nations from the confederacy, the danger was at last subdued, and the war extinguished, it was not till after much blood had been shed, and serious injury inflicted on the trade of the community.<sup>1</sup> It was at this moment,

<sup>1</sup> Grahame (vol. iv. p. 100) calls this the most extensive, arduous, and bloody war that ever was waged between the two races.

"The next day the Indians massacred and scalped a whole family, sparing

when they were just breathing after the sudden assault of a strange and savage enemy, heated by a thousand wrongs, with the war-whoop almost still in their ears, and the smoking ruins of their villages before their eyes, that, instead of sympathy and assistance, they received intelligence of a still more dangerous wound, inflicted upon them in cold blood by the deliberate vote of a civilised and a kindred community. To put the case in a few words: the House of Commons, governed by the most selfish and short-sighted views that ever prevailed in a public assembly, determined to pay the debts of England with the money of America. Resolutions were accordingly brought forward which became the basis of an Act that afterwards received the sanction of the legislature, regulating the trade of America, imposing duties on articles of commerce, and, in the

neither woman nor child. Fort Trigonier was threatened, and the passes to the eastward so watched that it was very difficult to keep up any intercourse; while the bounds resounded with the wild death halloo which announced successive murders."—BANCROFT, vol. ii. p. 134.

English Fort at Detroit besieged. "The Fort at Presqu Isle, now Erie." "After a two days' defence the commander, out of his senses with terror, capitulated. Nor was it the garrisoned stockades only that encountered the fury of the savages. They roamed the wilderness, massacring all whom they met. They struck down more than a hundred traders in the woods, scalping every one of them. Nearly five hundred families from the frontiers of Maryland and Virginia fled to Winchester, unable to find a hovel to shelter them from the weather."—*Ibid.*, 140, *The Bloody Run*.

Detroit, between the lakes Huron and Erie; Niagara, between Erie and Ontario; Pittsburg, which kept in check the district near the Ohio,—were the three fortresses attacked after the capture of Forts Le Bœuf, Venango, and Presqu Isle.

true spirit of tradesmen, providing that the new duties should be paid in specie into the English Exchequer. These resolutions were accompanied with one introducing a stamp duty in America,<sup>1</sup> which, in the next year, was recommended from the throne, and passed almost without notice into a law. These measures, so rapacious and short-sighted, produced their natural effect. The resolution before adopted by individuals in America, was now adopted by the nation. Association took the place of individual effort, and it was determined not only to consume as few British manufactures as possible, but to manufacture as much as possible for themselves. Thus all the persons in England concerned in the buying and selling and transport of those manufactures, from the time when the seed was sown in England till the produce was landed in America, were suddenly thrown out of employment. At the same time that the public burdens were thus augmented, by the necessity of supporting so great a multitude who had nothing but the labours of their own hands to live upon, the state was deprived of the export duties payable on the goods sent to the colonies, and of the import duties payable on the

<sup>1</sup> Treasury Minute, Sept. 22, 1763. Present, Mr. Grenville, Lord North, Mr. Hanter: "Write to the Commissioners of the Stamp Duties, to prepare the draft of a bill to be presented to Parliament for extending the stamp duties to the colonies."—*Cit.* BANCROFT, vol. ii. p. 170.

Jenkinson, while private secretary to Bute, proposed the Stamp Act.

goods of foreign countries transmitted through England and in English bottoms to America. Such was the immediate effect of the disregard of theory, which is but another word for want of reflection, purblind bigotry, and intensely selfish views, then and afterwards so prevalent in English councils. It is the child of prejudice. Chicane in the law, hypocrisy in the church, and, worse than all, corruption in the state, are its offspring. Its effects may be traced in baffled expeditions, in oppressed dependencies, in useless taxation, in a population of paupers, in rebellion, and in civil war. Sir R. Walpole's strong sense had enabled him to avoid the error which misled those who, without his sagacity, inherited his faults. When, in 1739, it was proposed to him to conciliate the English squires by imposing a tax on unrepresented America, he said, "I will leave that to some one who has more courage, and is less a friend to commerce than I am."<sup>1</sup> Unfortunately for England, when little more than a quarter of a century had elapsed, such a person was at the

<sup>1</sup> To Sir W. Keith, Governor of Virginia, who proposed such a scheme after the failure of the excise project, he replied—"I have all Old England set against me; do you think I wish to have New England too?" With the same sense he wrote to the Duke of Newcastle, at the time Ireland was struggling against Wood's halfpence: "If, after all, the Irish dislike the plan, I shall give it up; as I would never wish to oppose the general opinion of a country." He also observed that he was well disposed to overlook breaches of the navigation laws as of every £500,000 gained by the American colonists, £250,000 found its way to England.



head of affairs among us. The commentary on these proceedings is to be found in the work in which the events of the day are recorded, and which describes the madness and desperation to which the people of England were driven, not by pestilence or any great convulsion of nature, but by a more terrible scourge than either—the “practical” views of their rulers.<sup>1</sup>

<sup>1</sup> This is not an extract from Gregory of Tours, or Ordericus Vitalis, or the Saxon Chronicle, but an account of the effect of *practical* wisdom and plain common sense, and scorn of theory in England in the middle of the eighteenth century (“Ann. Reg.” 1766, p. 136):—

At Bath the people did a great deal of mischief in the markets before they dispersed.

They were very outrageous at Berwick-upon-Tweed.

At Malmesbury they seized all the corn.

At Hampton, in Gloucestershire, some lives were lost and houses pulled down. Military called in to quell them.

At Selbury they seized the cheese and bacon, &c.

At Bradley they destroyed a mill and divided the corn.

At Leicester they seized three waggon-loads of cheese.

At Lechdale they seized a waggon-load of cheese.

At Oxford they went to the adjacent mills, &c.

At Exeter the mob rose and broke open a cheese warehouse.

In the neighbourhood of Stroud a huckster's shop was levelled with the ground. The proprietors of seven mills at Newbury, having declared they would grind for the poor, pacified the rioters.

At Redruth and Staintle the tanners have risen, and compelled the farmers, &c., to lower their prices.

At Kidderminster people obliged the farmers to sell their wheat at five shillings a bushel.

At Stourbridge they lowered the price of bread, butter, &c.

At Bewdley they did the same.

At Salisbury the risings were very serious.

At Beckington, near Bath, a miller and his son got firearms to oppose the mob, and so exasperated them.

At Wincanton the rioters, having been joined by the colliers, did great mischief.

In Worcestershire the mob rose, and obliged the farmers to sell their wheat at five shillings a bushel, and the butchers their meat at twopence halfpenny a pound.

[At

Well might Mr. Burke say, "Nothing in the world can read so awful and instructive a lesson as the conduct of ministry in this business, or the mischief of not having large and liberal ideas in the management of public affairs."<sup>1</sup> The pretexts by which it was attempted to justify this violation of justice were ludicrous. It was said that the

At Wolverhampton the same.

At Halesowen they rose, and forced the people to sell cheese at twopence halfpenny, and flour for five shillings. They destroyed two dressing mills before they dispersed.

At Coventry they rose, and were joined by the colliers from the neighbouring pits, and began by plundering the warehouses of cheese, and selling the same at low prices, and concluded by taking whatever provisions they met with by main force.

At Norwich a general insurrection began. Provisions of all sorts were scattered about by the rioters in heaps. The new mill, which supplied the city with water, was attacked and pulled down; the flour, to the number of 150 sacks, thrown sack by sack into the river; the proprietor's books, plate, furniture, and money, carried off or destroyed. The bakers' shops plundered and shattered at large; malt houses set fire to and burnt; houses and warehouses pulled down, and the whole city flung into consternation.

At Wallingford they rose, and regulated the prices of bread, cheese, butter, and bacon.

At Thane they did the same.

At Henley-on-Thames they rose.

At Wycombe they rose.

At Great Colton they rose, and did considerable damage, till being met by the military they were dispersed. Eight shot dead.

At Evesham they rose.

At Derby they encountered a party of light horse.

At Dunnington they rose, plundered a warehouse defended by eighteen men with firearms, attacked a boat on the Derwent, &c.

At Pageswell a shopkeeper shot one of the mob dead: on which they set fire to his house and burnt it to the ground.

At Marlow a gang rose and extorted money.

At Birmingham a riotous mob rose.

At Nottingham fair the mob seized on all the cheese.

<sup>1</sup> Burke's speech on American taxation.

charters granted to them implied this right—as if wax and parchment could oblige millions of freemen on one side of the Atlantic to endure what had cost a king his life, and a dynasty its expulsion, on the other. It was said that we had protected America—as if in protecting the colonies we had acted, or even pretended to act, from any other motive than our own well-understood and carefully-considered interest. The colonies had been attacked because they were the most precious possession of the English Crown. It was to them of little importance whether Silesia should belong to Frederick or the Empress Queen; whether Hanover should be occupied by a French army or governed by the monotonous despotism of a petty German state. They might say to England, as Achilles does to Agamemnon, that the sea rolled and many a mountain rose between them and the dominions of the House of Austria. It was said they had already submitted to laws made for their internal government by the English Parliament. As well might it have been urged against the English freedom that they had submitted to Henry the Eighth and the Star Chamber—as if the tyranny of the many was less terrible and oppressive than the tyranny of a single man; and if irresponsible power is the proper definition of tyranny, to what power could that description apply more emphatically than to that of

the English legislature? As usual, the advocates of the scheme which had already convulsed, and was soon to dismember, our empire, talked, in the phrase so musical to the English ear, of practical questions and the folly of appealing to abstract right—as if all oppression did not involve the violation of an abstract right; as if to tax a nation, not even virtually represented, was not to dispose of its property without its consent, and to follow the precedent, so dearly avenged, of Charles the First and his counsellors, who levied taxes “by a logic” that, in the words of the royalist historian, left no man anything he could call his own. The colonists complained, not that Great Britain put duties on her own manufactures exported to them, but that she would not allow them to buy the like manufactures in any other country. From the year 1660 to the year 1764, it had been the object of England to establish, by every kind of detailed and specific enumeration, by innumerable checks and provisions, running through twenty-nine Acts of Parliament, a strict monopoly. This was compensated by the command of English capital, which was a hot-bed to American prosperity, at the same time that it augmented prodigiously the trade of the parent state. Mr. Grenville’s scheme was, to join internal and external taxation to this universal monopoly. He declared that he could see no difference, except



in name, between internal and external taxes. The proper inference from this position would have been, that England had a right to impose neither : Mr. Grenville's was, that she had a right to impose both. Of course he reckoned as nothing the difference that the people he undertook to govern at the distance of three thousand miles, would submit to the one, and would not submit to the other. When this argument was pressed upon Dr. Franklin, he made the boding remark, that such a mode of reasoning had not as yet occurred to his countrymen, but that if it was urged upon them, they might in time adopt it. Mr. Grenville, however, only considered what the Statute Book told him he might do—that was the guide he followed as infallible. Mr. Grenville, a good, patriotic, and thoroughly honest man, was far from wishing to oppress America, or conceiving that he had furnished our colonies with any reasonable ground of complaint. Far otherwise. He allowed great weight to the argument that the colonies were not represented, and proposed that they should return members to Parliament. He rejected the savage measures of which the Duke of Bedford, with his incorrigible wrongheadedness, and the miserable creatures who formed his party, were the advocates; and in the hope of reconciling the colonies to measures which appeared to him founded in equity

and reason, postponed their operation for a year. More than this, in order to conciliate New England, he resolved to surrender the whale fishery, then supported in England by a bounty of £30,000 a year from the Treasury, and a discriminating duty. This is the liberal act of Grenville's administration. The trade, producing annually £300,000, and employing three thousand seamen, was thus virtually given up to America. The idea of forging chains for that country never occurred to him. He knew, as he said afterwards, that to forge them for America would be to forge them for himself. What he did was done in consequence of the reiterated wishes of his countrymen. "When I first named the scheme," he said, "upon a solemn question, asked in a house as full as the one that now hears me, there was not a single negative to the idea. In the second year, in the committee, there was one division of thirty or forty against it." "I had so little doubt that the measure would be well received that I would have pledged my life for the success of it."<sup>1</sup> The delay of a year which, acting in this belief, he allowed, served only to give time for the tempest to gather, and for the American leaders to impress on the minds of the lower classes all the evils they themselves anticipated as certain to flow from this act of the English legislature. Mr. Grenville had practised

<sup>1</sup> "Cavendish Debates," vol. i. p. 496.

no fraud and no concealment. When the agents of the colonies came to him to ask what could be done to avert the Stamp Act, he made no secret of his resolution. "I have proposed the resolution," he said, "in the terms that Parliament has adopted, from real regard and tenderness to the colonies. It is highly reasonable they should contribute something towards the charge of protecting themselves, and in aid of the great expense Britain puts herself to on their account ; no tax appears to me so easy and equitable as a stamp duty. The colonies now have it in their power, by agreeing to this tax, to establish a precedent for their being consulted before any tax is imposed on them by Parliament; for their approbation of it being signified to Parliament next year, when the tax comes to be imposed, will afford a forcible argument for the like proceeding in all such cases. If they think any other mode of taxation more convenient to them, and make any proposition of equal efficacy with the stamp duty, I will give it all due consideration." To a merchant who remonstrated against the Stamp Act, Grenville replied, "If the Stamp Act is disliked, I am willing to change it for any other equally productive. If you object to the Americans being taxed by Parliament, save yourselves the trouble of discussion, for I am determined on the measure." Meanwhile, to crush all idea of opposition the colonists were care-

fully told that no single member of Parliament doubted the right of the legislature to tax the colonies ; and George the Third in his speech on proroguing Parliament, declared that the "wise measures" of Grenville had his hearty approbation. All these devices were unavailing. As might have been expected, no single colony authorised its agent to consent to a stamp duty, or to offer any compensation for it. What Mr. Grenville intended as a compliment, they considered an affront, and as involving submissions incompatible with freedom. They were encouraged on all sides to resistance. "If," said a writer then in England, "the colonies do not unite, they may bid farewell to liberty, burn their charters, and make the best of thralldom." "The ways of Heaven," said Lee, of Virginia, writing to a friend, "are inscrutable : this step of the mother country, though intended to secure our dependence, may produce a fatal resentment, and be subversive of that end." The feeling which it was the object of such communications to produce spread, like fire set to a mine, rapidly over the continent, and the news that the Stamp Act had received the royal assent no sooner reached America than the dejection the people had hitherto displayed was converted into fury, and every mark of hostility to the measure, and of determination to resist it, was

<sup>1</sup> Dyer of Connecticut, cit. Baneroft, vol. ii. p. 220.



given that popular indignation could suggest. "We will drink no wine;" "We will wear nothing but homespun;" "We will not dress our fleeces," were the exclamations of the people. "These duties are the beginning of evils;" "Acts of Parliament against natural equity are void;" "The power of taxing is the grand barrier of liberty, if this is broken down all is lost," exclaimed their leaders. Circular letters were sent to all the colonies exposing the danger that menaced their most essential rights, and desiring their united assistance. The bells rang muffled; the ships hoisted their colours half-mast high; the Act itself was printed with a death's head instead of a stamp, and cried about the streets with the title but half deserved—"Folly of England and ruin of America."

Essays, satires, emblems, followed. One paper was headed by the figure of a snake cut in pieces with the initial letters of the several provinces, and above them the words "Join or Die."

The merchants of the colonies entered into the most solemn engagements not to order any more goods from Great Britain, and even not to dispose of any goods sent them on commission. Markets were opened for the sale of homemade goods, and a resolution was talked of for stopping the exportation of tobacco from Virginia and South Carolina to Great Britain. Such were the proceedings of the

six greatest colonies of North America in consequence of Grenville's Act. The conduct of the populace, acting no doubt under the direction of their superiors, was still more decisive and equally significant. The Act was publicly burnt by them in several places, with the effigy of those who were supposed to have had any share in bringing it about. The distributors of stamps were made to renounce publicly and on oath all manner of concern in them. The houses of those who were looked upon as friends, or, indeed, as only lukewarm enemies, to the Act, were burnt to the ground. To save their vessels from fire and their persons from the gallows, the masters of the ships who had ventured to take stamps on board were obliged to surrender their cargoes to the multitude, or to take refuge under the English men-of-war who were near enough to protect them. By the 1st of November, by which time the Act was to come into operation, not a sheet of stamped paper was to be found in the six colonies I have mentioned. Justices refused to act. The marriages of the opulent were solemnised by banns, to avoid licenses for private marriages, and the courts of justice were closed. Such were among the first fruits of looking to the English Statute Book for principles of legislative wisdom, and of turning the corollaries from the barbarous precedents of narrow-minded lawyers into rules for the government of a

mighty empire. But these proceedings were wisdom itself compared with our conduct, at the same time, to our new conquest, Canada, which, to avoid confusion, I have reserved for a separate topic, and which I now proceed to lay before the reader. They exhibit in their true light the contraction and pedantry, —marvellous illiberality and want of practical sense,—without parallel in the history of mankind, which the English, swayed by lawyers, always have displayed in the government of their dependencies.

Canada had belonged to France since 1632. By the Treaty of Aix-la-Chapelle, when we were in no condition to dictate, we had ceded Cape Breton to France—an island 140 miles in length, containing Louisburg, one of the noblest harbours in North America, and furnishing, what was then considered extremely detrimental to our interest, a station whereon the French could dry their fish. Canada stretched from Lake Erie to the north of Hudson's Bay, and from the Mississippi to the coast opposite Cape Race in Newfoundland. To the west lay the primeval forest, here and there interrupted by a field of maize, and a log fort erected as an emblem of sovereignty, or as a check upon the red man, slowly receding before the encroaching tide of European adventure. When Canada came into our possession the population of that region was estimated by the French at two hundred thousand, by us at seventy

thousand souls. With the really practical sense which characterises them, the French kept on foot a standing militia of eight thousand men, always ready to co-operate with the regular army. Thus the Indians were kept in awe, and as the manners and policy of the French towards them were those of conciliation, their thoughts were gradually turned towards commerce and intercourse with their neighbours. The French settlers were not burdened with taxes, and were allowed considerable privileges. They were under the immediate care of the Council of Commerce—a board very judiciously constructed to answer the purposes for which it was established, consisting of twelve of the most important officers of the French Crown, assisted by deputies from the most considerable trading towns of France, and paid from the funds of their respective cities a liberal salary for their attendance in Paris. “These persons,” says Mr. Burke, writing in 1758—meaning, like Tacitus, to convey in his panegyric on another country a satire upon the different state of things which prevailed in his own—“hear the proposals of others, which are not disdainfully rejected nor rashly received. They do not render access difficult by swelling themselves into a stiff unwieldy state. They do not discourage those who apply by admitting the vexatious practice of fees, perquisites, and exactions in inferior officers.



They do not suffer *form and method to encumber that business which they were solely intended to advance.*"<sup>1</sup> The two principal cities were Quebec and Montreal; the latter a city situated on an island of the St. Lawrence, where a fair was held, to which the Indian tribes flocked from immense distances. Guards were placed, strict rules observed, and the governor himself assisted to preserve order. "The trade," says Mr. Burke, "is now in that channel, though many if not most of these nations actually pass by our settlements, in Albany, in New York. . . . So much," he adds, "do the French exceed us in industry, economy, and the art of conciliating the affections of mankind." The European population was Roman Catholic; Quebec was a see; a college of Jesuits was established there; it contained two convents, and several hospitals. Canada, like France, was governed by the admirable French law, based on the immortal monuments of Roman wisdom, refined and adapted to modern usage by the labours of the greatest jurists that, since the downfall of the Roman empire, had been raised up to improve, regenerate, and refine the human race, forming in all respects an exact contrast (where constitutional right was not concerned) to our own.

Such was the nation we had conquered, and for the happiness and righteous government of which

<sup>1</sup> The exact description of English law, as well as English government.

we had made ourselves responsible. This sacred trust we fulfilled in the following manner. By a single ordinance, October, 1764, all the laws, customs, and forms of judicial proceeding, hitherto prevailing in Canada, were swept away, and the English law—written in a tongue unknown to the population,—with all its barbarous chicane, and clumsy subtilties, which it required the labour of a misspent life to master,—and especially including the savage laws against the Roman Catholics, by which, among various other modes of vexation, it was enacted that no Roman Catholic should remove five miles from his dwelling without forfeiting his personal goods and lands to the king; that no Roman Catholic should take lands by descent, or hold any office; and that saying mass should be a capital offence, and any one proved to be a Roman Catholic priest might be put to death—substituted in their room. Men utterly ignorant of the French language, as well as of the very rudiments of all jurisprudence, were sent over to administer justice to French settlers accustomed to a refined and regular system of consistent and methodised law. The offices of Secretary to the Provinces, of Registrar, of Clerk of the Council, of Commissary of Stores, were at once added to the fund for carrying on the grand cause of corruption in England; that is, they were made patent places, and made over at once to the friends

of the government in this island, who farmed them out to deputies in Canada who bid the highest for them,—the salary of these offices, to make corruption certain and exaction intolerable, being paid by fees ; that is, by whatever could be wrung from helpless dependants separated by three thousand miles and the Atlantic Ocean from all possibility of redress. Thus all the useless forms and unmeaning jargon, all the refuse of Coke and Saunders, all the mountainous abuses which truth had long been unable to overpeer, and which judicial avarice had allowed to accumulate for centuries in Westminster Hall, were at once transplanted to Canada. The choice of magistrates and juries (the Catholics being all necessarily disfranchised) was to be made from about four hundred and fifty persons engaged in the lowest and most disreputable pursuits. “The most immoral collection of men I ever knew,” says the English General Murray, writing to Lord Shelburne. With the exception—which must always be made when speaking of oppression and misgovernment—of British India under the East India Company, no such example of stupid and heartless cruelty is to be met with in the government of one civilised country by another. One man, however, there was in England to whose views—large and generous wherever his qualities as a jurist had room to operate—such a wanton outrage on all that bore the name of law and

reason was intolerable. This was Lord Mansfield, then Chief Justice of the Queen's Bench. When we read his judgments, so full of sense and equity,<sup>1</sup> in similar cases—in the case of the cruel governor of Minorca;<sup>2</sup> and in another still more important instance, perhaps, in which he lays down the true principles of colonial law<sup>3</sup>—and compare them with those of his colleagues, and most of his successors, we shall see what a grand and noble pursuit the study of jurisprudence is,—how it expels the poison of superstition, and how it refines, enlarges, and corrects even the mind tainted from the cradle with the doctrine of arbitrary power, and too prone, except when such habits operate, to make interest the rule and standard of its opinions. Animated by uncontrollable indignation, this great magistrate wrote at once to Mr. Grenville a letter, which has recently been published, and which, though not remarkable for any merit of the composition, is an enduring monument to his fame. “Is it possible,” he asks, “that we have abolished their laws and customs, and forms of judicature, at once—a thing never to be attempted or wished? *The history of the world does not furnish an instance of so rash and unjust*

<sup>1</sup> I use the word in the Roman, not in the English, sense, meaning by it justice, reason, and humanity, not delay, litigation, and chicane. The equity, not of Lord Eldon and his “accomplished solicitors,” but of Papinian and his disciples.

<sup>2</sup> *Mostyn v. Fabrigas*.

<sup>3</sup> Hall and Campbell.



*an act by any conqueror whatsoever. . . .* For God's sake learn the truth of the case and think of a speedy remedy!" The letter is dated December 24,<sup>1</sup> 1764 ; the speedy remedy was applied in 1774. Then, at length, Canada was relieved from the intolerable scourge of the English municipal law, and restored to the enjoyment of a system fit for civilised man to live under. In this way, at the accession of George the Third, and long afterwards, were the dependencies of England governed.<sup>2</sup>

<sup>1</sup> "A few days before the resignation of Lord Halifax, a petition from the English inhabitants of Quebec, supported by another from the merchants of London, was laid before his Majesty ; since which a third remonstrance from the French inhabitants has been received by Mr. Secretary Conway."—*Ann. Reg.*, 1765, p. 115.

<sup>2</sup> "The circumstances of the early colonial administration excluded the native Canadian from power, and vested all offices of trust and emolument in the hands of strangers of English origin. The highest posts in the law were confided to the same class of persons. The functionaries of the civil government, together with the officers of the army, composed a kind of privileged class, occupying the first place in the community, and excluding the higher class of the natives from society, as well as from the government of their own country. It was not till within a very few years, as was testified by persons who had seen much of the country, that this society of civil and military functionaries ceased to exhibit towards the higher order of Canadians an exclusiveness of demeanour which was more revolting to a sensitive and polite people than the monopoly of power and profit. . . . The races had become enemies ere a tardy justice was extorted, and even the government discovered a mode of distributing its patronage among the Canadians quite as offensive to that people as their previous exclusion."—*Report of the Earl of Durham*, 1839, p. 20.

## CHAPTER V.

DURING the time that these events had been taking place among the dependencies of England, the intrigues of George the Third against his ostensible ministers had, in spite of his most solemn and often-repeated promises, been carried on with the most unscrupulous activity.<sup>1</sup> This was sufficiently evident from the manner in which the holders of subordinate offices repeatedly, and on the most important questions, voted against the government, still contriving

<sup>1</sup> Lord Hardwicke writes, July 26, 1764:—"Lord Bute makes many hugger mugger visits to Richmond, in a way creditable neither to his master nor himself."—*Rockingham Papers*, vol. i. p. 195.

This extract from the Duke of Richmond's diary is another proof of the falsehood of George the Third's assertions that he never saw Lord Bute after his resignation:—

"I was told Lord Bute went this day, about noon, to his own house at Kew. He did not go the common road, over the bridge, but came by the river-side in his coach. From his own garden he crossed alone to that of the Princess, at Kew. The king went also, about the same time, to the Princess of Wales's, at Kew, and staid there two hours. It is remarkable that it is said the Princess Dowager was not then at Kew herself; so that this was not accidental, but evidently a meeting of the king's with Lord Bute, settled so beforehand."—*Rockingham Memoirs*, vol. i. p. 361.

It was on this very day the king told the ministers he had sent for Mr. Pitt. Walpole, "George III.," vol. ii. p. 337. July 7, 1766.

to retain places as lucrative as they were irresponsible. If these intriguers were menaced with the loss of their places, they fled to their sanctuary, the king's favour, and pleaded, says Mr. Burke, the most inviolable of all promises. Mr. Mackenzie,<sup>1</sup> Lord Bute's brother, a subtle intriguer, through whom the negociations of the Peace of Paris had been in part carried on, was one great instrument by which the king harassed and mortified his ministers. If Mr. Grenville complained to the king of the scandal thus given, and the discredit thus flung upon his government, he was met sometimes by civil phrases, sometimes by lame excuses, and always by the prevarication which—like Charles the First, his only rival in the affection of the clergy—George the Third employed as a means for obtaining his purpose without hesitation and without shame. It was certainly fortunate for the monarch that his most prominent opponents among the great nobility were men as unpopular as the Duke of Bedford and Earl Temple. Had the Duke of Bedford possessed the eminent qualities of his great ancestor, the Earl of Bedford, in Charles the First's time, or the virtues—for great abilities I do not think had been allotted to him—of the Lord Russell murdered by a judge and jury in the reign of Charles the Second,—had Lord Temple's character commanded the reverence with which the

<sup>1</sup> Lord Chesterfield cautions his son against this man.

names of Grey and Grenville were mentioned by all lovers of their country at the beginning of this century, and down to our own time,—the authors of the scheme on which the king acted so pertinaciously, might have had abundant reason to regret their attack on the constitution. But they had no such adversaries to encounter. At this time Mr. Pitt's unconnected and desultory efforts often struck terror into the Jenkinsons, the Dysons, and the Rigbys, but they were not attended with any solid or permanent advantage to the community. They did not prevent the Peace of Paris; they did not prevent the Stamp Act; they did not avert the American war; they did not arrest, but hastened, the triumph of corruption. Backed by such a party as followed his son or the younger Fox, they would have been productive of lasting benefit to mankind. Perhaps there is not to be found in our history a stronger illustration of any truth than that which the career of this illustrious man affords of the mischief of the silly cant so incessantly repeated by the English public, and so eagerly adopted by those whose purpose is to mislead them—"Measures, not men." Owing to these causes, in spite of several apparent checks, and several real mortifications, to the misplaced pride of its wearer, the power of the Crown was in fact advancing. Instead of a republic hidden under the form of a monarchy, which had



been the character of our government under the two first princes of the House of Brunswick, the court had now become the leading feature of the constitution. The attempt of obliging the monarch to surrender his personal views and inclinations for the good of the community—to employ those who might be disagreeable to him, but were capable of rendering great service to the State—was resented and spoken of as unconstitutional. The clergy returned with delight to their favourite doctrine of passive obedience. Every event that injured the authority or blemished the reputation of men eminent in public life added weight to this new influence. The obstinacy of Grenville, the haughtiness of Pitt, the coarseness of Bedford, the intriguing spirit of Temple, the unbounded profligacy of Sandwich, the venality of such vermin as Rigby, Dodington, Dyson, and numberless others whose infamy has not left behind it such enduring traces, by lowering the standard of morality among the people, and discouraging all belief in virtue, hourly augmented the preponderance of an authority to which each party was in turn obliged to have recourse. The power of eminent men and great parties in such a government as ours may be compared to a reservoir which is liable to be drained; that of the Crown to a spring flowing in greater or less abundance, according to the accident of season, but never ceasing altogether; and at the period we

are now considering, it continued to augment from various tributaries, till it had swollen to a pitch that threatened to break down all the barriers our ancestors had raised against such an inundation, and that it required at no distant period a formal vote of the House of Commons to resist. Meanwhile the proofs of Lord Bute's secret influence—which the king always disavowed, and against which Grenville was obliged incessantly to protest—multiplied every day. The minister was thwarted at every turn.

One of the most striking proofs of this advantage, which a monarch, however limited, if he keep his eye steadily fixed on a single object, has over those who wish to circumscribe his influence, may be seen in the event which at last broke up the Grenville administration. While the seeds of civil war were being thickly scattered in America, George the Third was seized with an alarming illness, which it is now well known was of the same kind with that which, after flinging at different intervals its shadow across his path, at last buried his moral life in total darkness. No idea of such a visitation transpired at that time, and the sad secret was religiously kept by the very few to whom it had been of necessity confided. Such a warning<sup>1</sup> printed itself too deeply in the nature of the sufferer to be shaken off.

<sup>1</sup> "Nam veræ voces tum demum pectore ab imo  
Eliciuntur, et eripitur persona—manet res."

No king's friends could whisper it away. Neither Dodington nor Jenkinson could arrest its progress,—it was beyond the reach of secret service money. George the Third must have been indifferent to the common instincts of a parent and a husband, as well as to the plainest dictates of public duty, if on his recovery he had refrained from putting the question of a regency beyond the reach of accident or dispute. But he had no choice about the matter.<sup>1</sup> Even if those feelings had been absent, the public, scared and terrified by the danger to which the selfishness of statesmen and lawyers had exposed the nation—for though the real nature of the disorder was unknown, it was no secret that the king's life had been in the utmost jeopardy—cried out for some measure that might save it from the serious evils that it had so recently and so narrowly escaped. The dread of the Princess Dowager and Lord Bute, and a long minority, was uppermost in every mind.

Whenever precision is requisite—unless the very case anticipated has actually taken place—English law, the growth of a rude age, and the work of the merest and most ignorant empirics, is silent. Even if

<sup>1</sup> "The king is to come to-morrow to the House, to recommend a bill to settle the regency in case of a demise while his successor is a minor. Upon the king's late illness, which was no trifling one, the whole nation cried out aloud for such a bill, *for reasons which will readily occur to you who know situations, persons, and characters here.*"—CHESTERFIELD, vol. iv. p. 398.

the very case has actually occurred, such is the stupendous narrowness of our genius, that the remedy is sometimes confined to that particular emergency, and can be extended to no other. Such was the state of things in this country in the year 1765, three-quarters of a century after the Revolution, and after five hundred years of parliamentary government. Till the reign of George the Second, the kings of England appointed by their own mere motion regents to their dominions and guardians to their heirs. The law—such was the practical wisdom of those who made, and of those who submitted to it—made no difference between the succession to the throne of an infant an hour old, and a man of mature years and intellect.<sup>1</sup> Nothing but the welfare of a great country could be the reward of ascertaining and investigating such a question. It could secure no borough, it could give no title, it could create no sinecure; and therefore, till the death of the Prince of Wales, in the reign of George the Second, it had been left unnoticed, when the advanced age of the sovereign, and the tender years of his grandson, forced the matter upon party consideration. The Act, however, thus passed was, with the enlarged views peculiar to

<sup>1</sup> “With respect to the sovereign,” said Lord Mansfield, “the law acknowledges no such thing as a minority. A child of two years old (why not an unborn child?) may, by our constitution, come to be king or queen; and the moment the father dies, the child is by law invested with the whole sovereign power of the government.”



English lawyers, limited to that one particular case ; and if George the Third's illness, dangerous as it was, had proved fatal, or any one of the countless accidents to which all human creatures are every hour exposed, had happened to him—the kick of a horse, or the upsetting of a boat, would have left this practical nation without any legal executive power but that vested in a child, who, when the Regency Act was passed, was in the fourth year of his existence. It is not easy, through the mist of royal artifice, cunning, and falsehood, to discern the true meaning of the events which followed the proposal of a regency. What is clear is, that the king was bent upon getting rid of his ministers, and that he succeeded. But for the “Grenville Papers” the task would be impossible : they, however, put a clue into our hands which leads us to the truth. The arbitrary disposition of George the Third, and the principles of the education he had received, discovered themselves in the scheme he first insisted upon. He was ready to follow the precedent in the late king's time, with the exception that he wished to have the power of naming the regent left to his uncontrolled will in the Act of Parliament. Mr. Grenville was uncourtly enough not to approve a proceeding so much at variance with the spirit of constitutional monarchy, by which the king, when totally incompetent to the fulfilment of such a duty,

might exercise a right directly affecting the most precious interests of the commonwealth. George the Third—and it is most important that the reader who wishes to obtain an accurate view of this intrigue should follow every part of the transaction—then endeavoured, with great pertinacity, to entangle his ministers by the discussion as to the propriety of including princes of the blood in the bill. This was laid, by the king's desire, before the cabinet, and he desired Lord Halifax to inform him minutely of what took place at the discussion. Ministers, however, saw the snare, and avoided it. The Chancellor absolutely refused on any account to attend such a meeting. Even Lord Mansfield said that the question, whether the king should appoint his brothers and uncle of the Council of Regency, could not be proper for a cabinet meeting. Mr. Grenville, to whom Lord Halifax communicated the king's wishes, told that nobleman that he agreed with his colleagues in thinking this no business for such a meeting, and that it could not be decided at once. The king sent another message,<sup>1</sup> desiring that the matter might be discussed, and that a minute should be made and sent to him of anything particular said by anybody. Grenville and his colleagues all agreed that no opinion could be given as to the

<sup>1</sup> "I do insist on the doing it (*i.e.* the minute), to satisfy my curiosity."—*Grenville Papers*, vol. ii. p. 135.

fitness of the princes of the blood royal to be of the council. The king then wrote an uncivil and angry letter to Lord Halifax, reiterating his command. Again Lord Halifax, in a respectful answer, informed his Majesty that the determination of the matter must be left entirely to him. Grenville informed Lord Granby—a generous and high-spirited nobleman, slandered by Junius, whose courage had redeemed the English fame, and whose princely liberality had saved many a gallant heart from suffering, deservedly popular for his valour, liberality, and courtesy with all ranks of people—of these proceedings; and Lord Granby replied, “that Mr. Grenville had acted honestly and wisely,” and that it was “a snare laid for him.” This scheme having failed, George the Third had recourse to another, which was more successful, and of which the “Grenville Papers”—in that part which contains the diary of Mr. Grenville—furnish us with an explanation. The words “royal family” were used in the bill to describe persons who might be eligible for the office of regent. A question arose whether the king’s mother, at that time an object of just antipathy to the people, came within this description. Before the bill was brought forward, the king distinctly told Lord Halifax, if he saw the least occasion for it, to use the words “born in England,” by which the Princess was of course excluded. The



question as to the meaning of the words "royal family" having been referred to the judges, and the matter having been discussed in the House of Lords, on Friday, the 3rd of May, Lord Halifax again mentioned the difficulty to the king, and the king again proposed that they should solve the difficulty by using words specifically excluding, and intended to exclude, the Princess, which were immediately assented to by the king. The words were, "or any person of the royal family descended from the person of the king, his Majesty's grandfather." This fact, which clearly shows the gross hypocrisy that was so essential a feature of George the Third's character, does not rest on the authority of Lord Halifax alone: Grenville, whose veracity no one ever disputed, says that when he waited on the king, his Majesty told him he hoped he had settled the regency with Lord Halifax in such a manner as to obviate all difficulties, repeating to him the very words in question, and adding that he had authorised Lord Halifax the day before to put an end to this doubt.

There is, however, another circumstance which flings still further light on this intrigue. Lord Bute in the House of Lords began a conversation on Thursday, the 2nd of May, with Lord Halifax, whom he had avoided speaking to for some time before, on an indifferent topic, and then suddenly changing the subject to the Princess Dowager, said, "Why do you



not put the words ‘born in England,’ which would exclude the Princess?”—the very words the king had suggested to Halifax. Lord Halifax twice repeated the conversation to Mr. Grenville, and it is twice repeated in the “Diary.” Accordingly the bill passed the Lords with these expressions, recommended by Lord Bute, and originally suggested by the king, for the express purpose of shaking off, on plausible grounds, the ministers whom he detested. The mine was sprung in the House of Commons: there the name of the Princess Dowager was, on a motion by Mr. Morton, a personal friend of Lord Bute, and at his special suggestion, inserted in the bill by a vast majority, and the measure so altered was carried back to the Lords, acquiesced in by them, and on the 15th of May received the royal assent.

The king having thus secured the public sympathy,—as he did afterwards, by similar artifices, on the occasion of Mr. Fox’s East India Bill, in 1782, and of the “No Popery” cry, which enabled him to shake off the administration of Lord Grey and Grenville, in 1806,—sent for his uncle, the Duke of Cumberland, and implored his assistance to get rid of ministers who had offered so gross an insult to his mother. Such, to use Mr. Burke’s phrase, was the vertigo of the Regency Bill, a proceeding to which the “Grenville Papers,” attentively perused, furnish the clue, and which, at the risk of being tedious, I

have traced step by step, as flinging in every part of its progress a strong light on the real character of George the Third. Let the reader compare this with the attempt to ensnare his ministers on the question of Princes of the Blood, and the skill he always showed in raising particular outcries when he had any purpose to answer, as well as with his conduct towards the ministers by whom Grenville was succeeded, and I have little doubt he will arrive at the same conclusion with Grenville—that the whole was a concerted scheme. The Grenville ministers had answered his purpose; they had, at the expense of their own characters, fulfilled the wishes of the Crown in the contest with Mr. Wilkes; and it was now time that their administration should be succeeded by another, in its turn, when it had answered a similar purpose, to be flung away. “It seems the determination of somebody,” says Chesterfield, “that no ministry shall be more than annual.”

Before I proceed to relate the negociations for a new ministry, set on foot by the Duke of Cumberland, it is necessary to mention the disturbances caused by the distress of the journeyman silk weavers, and their dependent trades, in London. A bill in which these poor men conceived they had a deep interest, and on which, according to maxims then universally received, and acted upon down to our own time by the legislature, their support depended, was

abruptly flung out of the House of Lords, after a speech of great harshness had been made against it by the Duke of Bedford. Vast numbers of these men, with pallid looks and emaciated countenances, beset the avenues to Parliament, stopped the carriages of different members, and assaulted that of the Duke of Bedford with great ferocity. Nor was this all; on the next day Bedford House, in Bloomsbury Square, was assailed by several bodies of these rioters, and only saved from destruction by the cavalry, who charged the populace. The Duke and his friends kept watch all night. The rabble at length withdrew, and after they had destroyed the house of a mercer who dealt in French silks, the tumult was appeased without any further outrage. Such were the circumstances under which the Duke of Cumberland entered upon his negotiation with Mr. Pitt.<sup>1</sup>

The eyes of all Europe were fixed upon it. "We shall now see," said Mr. Burke, then a young and ardent follower of Lord Rockingham, and that section of the Whigs, "whether he (Mr. Pitt) will come into the service of his country on any plan of politics he may choose to dictate. A few days will

<sup>1</sup> "You will ask me, who brought about this change? to which I answer, according to my conjecture, but not knowledge, Lord Bute; who, exasperated at the strong push the late ministers made at him, resolved to crush them, no matter for a time who came into their places. . . . But is Lord Bute's favour decreased? Not in the least. He only suspends his apparent influence 'en attendant mieux.'" —LORD CHESTERFIELD, *July 15, 1765.*

show whether he will take this part, or continue on his back at Hayes talking fustian." An event soon happened which rendered the negociation fruitless. Mr. Pitt, with spirit and manliness, and in a tone as far removed from fustian as the least exceptionable passage in Mr. Burke's writings, declared himself willing to go to St. James's, if he might take the constitution with him. His demands were such as he could not fail to make without forfeiting his own esteem and the public confidence:—the condemnation of general warrants; the elevation of Chief Justice Pratt to the office of Chancellor; restoration of those military officers who had been dismissed the service on account of their votes in Parliament; and an alliance with Protestant states to redress the balance of Europe. George the Third, with his usual pertinacity, again proposed Lord Northumberland for the Treasury, to which Mr. Pitt resolutely objected. There was, however, little doubt that all difficulties might have been removed, and the hope Mr. Burke so eagerly dwelt on realised, when these prospects were destroyed by an event which took place in a private family—if that ought to be called a private family which exercised for more than half a century so vast an influence over the destinies of England. The strong feeling of family affection which ran in the Grenville blood had, after the lapse of many years, worked its natural effect,



and brought about a reconciliation between Mr. Grenville and Lord Temple. Nothing had passed between them to make reconciliation hopeless. They had differed because they were men; they were reconciled because they were brethren. The letters which preserve the traces of this reconciliation form a delightful contrast to the accounts of animosity, intrigue, and suspicion in the midst of which they are to be found. "Who," says Temple, "has a right to object to our interview?" "Who, indeed?" says Grenville; and from that hour the brothers were friends, to part no more. But this reconciliation was fatal to the scheme for the new government. Governed by Temple, to whom indeed he owed a great debt of obligation, Mr. Pitt refused with bitter regret to assist in the construction of a new government, and he withdrew, applying with exquisite felicity the beautiful lines in which Anna<sup>1</sup> bewails her sister's death to his brother-in-law. The king was driven back to his old ministers. They took care to make him feel their power; and certainly George the Third had little reason to expect any proof of confidence, or any forbearance, from the men whom he was indeed compelled to employ, but

<sup>1</sup> "Extinxti me teque, soror, populumque, patresque  
Sidonios, urbemque tuam."

"Grenville Papers," vol. iii. p. 60. Charles Townshend's account, *ibid.*, vol. iii. p. 65.

whom he was at the same time determined to shake off by any means, fair or foul. Before he went back to them he actually was engaged in three separate negotiations.<sup>1</sup> The situation was most critical. "Things hasten," said one of the first men of the day, "in this embarrassed country, to some sudden revolution."

When the king, unable any longer to struggle against the constitution, announced to his old ministers that he intended to retain them in office, they answered by insisting peremptorily on four conditions: that the king should no longer allow Lord Bute to interfere with his councils; that he should dismiss Mr. Mackenzie, Lord Bute's brother, from the office of Privy Seal in Scotland; that he should dismiss Lord Holland from the place of Paymaster; and that he should appoint Lord Granby Commander-in-Chief. To all these terms, after violently resisting the second, the king was obliged to submit. But he continued to heap upon his ministers every mark of detestation and contempt. He laid hold of

<sup>1</sup> "It appears from your letter that three distinct negotiations are actually carrying on with Mr. Pitt, the Duke of Cumberland, and the Lord Chancellor, at this moment."—*Grenville Papers*, vol. iii. p. 59. This is one of the many strong proofs, which Lord Macaulay has overlooked, that Sir P. Francis did not write "Junius," and that Lord Temple was immediately concerned in it. Compare the passage, "It was not a capricious partiality to new faces, it was not a natural turn for low intrigue, nor was it the treacherous amusement of double and triple negotiations." The very topic, and almost the very words, of Mr. Grenville.

every occasion to mortify them. Appointments were given in defiance of their express recommendation;<sup>1</sup> and the king soon gave a still stronger proof (his nature considered) of the virulence of his antipathy, by receiving at court, with every mark of kindness—simply because the family of Cavendish was in opposition—the young Duke of Devonshire, on whose father he had lavished so many proofs of impotent malevolence. This was not a state of things that any man in the station of the Duke of Bedford, not being absolutely besotted by the love of court favour, and an idolatrous veneration for the person of the monarch, apart from his constitutional title to respect, could be expected to endure. The Revolution of 1688 had taken place to little purpose if a great English gentleman was to be treated as if he were one of the titled sycophants that thronged the antechambers of Berlin, Vienna, or Versailles. The duke insisted on an interview with the sovereign, and though accounts as to what actually took place on that occasion do not quite agree, it is certain that he left George the Third in a state of furious irritation. The plain truth is rarely agreeable, as it is almost always strange, to royal ears, and at this time it must have been mortifying and offensive to

<sup>1</sup> The Duke of Ancaster was appointed, instead of Grenville's candidate, to a place in the queen's household. A vacant regiment was given to General Keppel instead of Lord Waldegrave.

the last degree.<sup>1</sup> George the Third listened to the recapitulation of his promises, and of the different instances in which those promises had been violated, with an indignation that it was hardly possible for him to control. Determined to shake off a yoke that was now quite intolerable, the king again had recourse to his uncle, the Duke of Cumberland. Another attempt was made, without success, to obtain the services of Mr. Pitt. Lord Temple's refusal to take office was again a fatal impediment to the scheme. Mr. Pitt withdrew to the country. At length the king applied to the Duke of Newcastle, and with his assistance the Rockingham administration was constructed. On accepting office, the new ministers made the same stipulations that had been

<sup>1</sup> "I took the liberty to remind the king upon what conditions, proposed by himself—namely, the excluding Lord Bute from his presence and participation in public affairs—I was called by him into his service, and how very unfaithfully these conditions had been kept with me."—*Bedford Correspondence*, vol. iii. p. 280 (*Intrigues of Lord Bute*).

"We have long been apprehensive, I mean the king's ministers, that Lord Bute had for some time past been operating mischief with the king; and Mr. Grenville and I, so long as the beginning of last week, took the liberty of telling the K. our suspicions; to which we could obtain no more satisfactory answer but that he would explain himself more fully hereafter."—*Bedford Correspondence*, vol. i. p. 278.

Bitter expostulation with the king.—*Ibid.*, p. 286.

"The retiring (of Lord Bute) from the K.'s presence and councils, is an absolute condition on which this administration stands. . . . I own I am a little uneasy at the delay, as there is nothing against us but the impression his remaining near the K. makes in the world, and the real danger there is from such a formidable channel of negociation being still open."—*Lord Sandwich to Duke of Bedford*, *Ibid.*, p. 250.



made by the Duke of Bedford and Mr. Grenville, for the removal of Lord Bute from all influence in the king's councils; and as a pledge to the public that this condition was not merely formal, but an essential part of their compact with the king, they insisted that Mr. Mackenzie should not return to office. The king consented to the terms, but never forgave them, and behaved to the new ministers with the same treachery that he had employed against their predecessors.<sup>1</sup> According to the new arrangement Lord Rockingham was First Lord of the Treasury, and Mr. Dowdeswell Chancellor of the Exchequer. The Duke of Grafton and General Conway were Secretaries of State, and the latter at the same time leader of the House of Commons. The Duke of Newcastle was Privy Seal, with the patronage of the Church. No ministry ever combined more blameless characters than the Rockingham administration. Lord Rockingham himself was the model of a great English gentleman—patriotic, high-minded, liberal, sincere, with a thorough disdain for all that was treacherous and ignoble; nor is it a slight recommendation to the gratitude of posterity, that he

<sup>1</sup> "Your notion of the new birth or regeneration of the ministry is a very just one; and that they have not yet the true seal of the covenant is, I dare say, very true; at least, it is not in the possession of either of the Secretaries of State, who have only the king's seal (the Duke of Grafton and Conway); but I suspect it to be still in Lord Bute's pocket."—Suppressed passage, CHESTERFIELD, vol. v. p. 472.

relieved the wants and cherished the genius of Edmund Burke, who, though not faultless as a writer, and sometimes betrayed into serious errors as a statesman, has left behind him a track of splendour that will only fade when the history of England is unknown, and her literature forgotten. Lord Rockingham, though able to express himself clearly and forcibly, had not the gift of fluent speech, and avoided from constitutional shyness, as far as he could, all occasion to debate. That the Whigs, in spite of the falling off of the Grenville party, should be able to rally in such an age under the old banner of the constitution, men who had so entirely escaped the contagion of immorality, while the ranks of their adversaries were filled with all that was base and mercenary, as it gave them dignity and confidence with the public, was an unpardonable sin in the eyes of the sovereign, in whose eyes all independent strength was criminal. His uncle, the Duke of Cumberland, guided by wiser and more honest maxims, lent them a steadfast and vigorous support, constantly attending the deliberations of the cabinet. Such a protector might have prolonged their power ; but, unfortunately for England, they were soon deprived of him. He died suddenly, a few months after they had been in office, in the arms of his friend the Earl of Albemarle. He had a reputation for firmness, sense, and probity. He had not the talents of a

general, but he displayed on many occasions the courage of a valiant soldier. His severities in the Highlands, after the Rebellion of 1745 had been suppressed, showed that clemency was wanting to his nature; but he was bred in a coarse, harsh, German school, and it should be considered that he was waging war with the implacable enemies of his race. His conduct towards his misguided nephew was admirable, and displayed an unwearied sense of duty, and a magnanimous disregard of personal injury. He is the only male descendant of the Electress Sophia, through the male line, in whose character it is possible to discover any lineament, however faint, of greatness or elevation.

## CHAPTER VI.

INDIA.<sup>1</sup>

IF we turn our eyes to the north of the vast mountain chains which separate the three peninsulas of Europe and the three peninsulas of Asia from the regions beyond those limits, we shall find a vast continent, stretching from the Atlantic ocean to the remotest shore of Tartary. A line drawn from the east to the west along those countries would, as Mr. Burke has remarked, pass over the greatest mass of unbroken land to be found on the surface of the earth.

The condition of the inhabitants of these peninsulas was, during the early history of the species, widely different from that of the nations lying on the other side of the gigantic barriers which nature has raised between them. These regions seem to have been intended by Providence as the seed-plots of refinement and humanity. They were only liable

<sup>1</sup> Mill's "History of India;" "Report of Committees of House of Commons," vol. iv.; "Histoire de l'Empire Anglais dans L'Inde," Barchon de Penhoen.



to invasion by land on one side. If their coasts were attacked, the invader would probably have been raised by his proficiency in the mechanic arts above the level of a savage. They were secure, at least for a certain time, from the ebb and flow of wandering tribes. While the North was overspread with all the rudeness of primitive barbarity; while the Mongol drove the Goth, and the Goth the Frank, before him on the continent, without causing any revolution in manners,—the peninsulas of Greece, Italy, Spain, in Europe—stretching in nearly the same latitude, possessing nearly the same climate, and connected by a thousand circumstances of resemblance—cherished and brought to maturity the first seeds of European cultivation. So, too, Asia, by means of three vast regions—the Arabian, the Indian, and the Indo-Chinese peninsula, washed by the same ocean—became the seat and centre of a civilisation more ancient, more stationary, and less flexible than our own, but of which, though still imperfectly revealed to us, every succeeding age teaches us more and more to appreciate the splendour and the depth. Between her two sister peninsulas lies India, the Italy of the East—like her the cradle and shelter of dawning art and science; like her the battle-ground of distant nations; like her the seat of doctrines powerful to sway and tenacious to retain the human mind; like her the victim of the senseless

feuds and animosities of her inhabitants; and, in addition to these so powerfully attracting circumstances, the spot where the elements of Eastern and Western civility were to be brought into reiterated collision,—the scene of migration and of settlement, the gathering-place of accumulated wealth, the mart of the princely merchant, the aim and prey of the daring conqueror, the source from whence drugs, spices, silk, pearls, diamonds, whatever can stimulate the avarice, or flatter the sense, or embellish the magnificence, or soothe the vanity, or imprison the thought of man, all that can contribute to his artificial, and much that can assuage his real wants, was to be brought in all times, and to be poured out in a never-failing flood over all the less-favoured regions of the globe.<sup>1</sup>

There, while England was inhabited by a few savages, struggling with wolves and bears, and muttering some two or three scarcely-articulated sounds, was once spoken a language of the most exquisitely refined construction, to which, in common with other European dialects, that of Greece owes its origin. There were written poems which have been read with rapture and admiration

<sup>1</sup> Ritter, "Erdkunde Von Asien," vol i. p. 63.

"Seit den ältesten Zeiten haben alle völker ihre Wünsche und Gelüste dahin gerichtet, einen Zugang zu den Schätzen dieses wunderlandes, zu finden die das Köstlichste sind was es auf Erden giebt."—HEGEL, *Philosophie der Geschichte*, p. 173.

by those to whom Homer, Euripides, Sophocles, Pindar, Dante, and Shakespēare were familiar. There, lifting up their thoughts till they were in harmony with the glories of inanimate nature profusely lavished around them—the mighty river, the pouring cataract, the never-penetrated forest, the stupendous Himalaya, the cloudless firmament—sages had pursued those exalted and ennobling inquiries on the Creator and the soul of man which, vain and fallacious as they appear to the vulgar, have in all ages, and almost all countries—by the banks of the Ilissus and the Tiber, as well as on those of the Ganges; by the shores of the Seine and the Arno, as well as on those of the Pregel and the Spree—been the refuge and consolation of the wise and good, and the themes which the chosen guides and ornaments of our race have selected for their meditation. There the sorrow of monarchs had raised monuments of unrivalled magnificence to the dead;<sup>1</sup> as their beneficence had erected stately edifices and constructed vast reservoirs for the support and comfort of the living. There the Mahometan conqueror had atoned for his cruelty in war by his legislation in peace. There the earliest forms of patriarchal life were still preserved in the village of the Hindoo. There, on the banks of famous

<sup>1</sup> See the description of the tomb of Ranee Nevur Begum, and of the Moti Mosjed, at Agra, "La Noye," p. 155.

streams, rose splendid cities—the hives of industry, cultivated by all the arts of polished life, and swarming with myriads of ingenious manufacturers and mechanics.<sup>1</sup> If ever there was a country the sight, and much more the dominion, of which ought to wean the mind from mean, narrow, petty notions, it is Hindostan, by which I designate the region only just emancipated by an English legislature from the yoke of the most contracted, ignoble, and sordidly selfish rulers that ever disregarded the happiness of their miserable subjects, and stretching from the Himalaya to Cape Comorin through one- and twenty degrees of latitude.

Cicero, in one of his most brilliant speeches, begs the Roman people to allow him the privilege of a poet, and to suffer him to pass over in silence the story of the loss and humiliation of his country; and if moral turpitude be a greater stain on the character of a nation than any calamity which fortune or misconduct may bring upon its arms, the Englishman who loves his country has far more reason to wish that he who has undertaken to give an account of the reign of George the Third might be permitted to omit all notice of the deeds on which our Empire in the East was founded, and of the means by which it has been cemented and held

<sup>1</sup> "Schätze der Natur und Schätze der Weisheit," says Hegel, eloquently, p. 173, "Philosophie der Geschichte."



together. For the records of modern Europe—though they teem with proofs of the little effect that the precepts of Christianity have produced on the minds of the people and their rulers ; though they contain the account (to say nothing of what happened in an earlier and more imperfect form of civilisation) of the murders committed by Cæsar Borgia and Henry the Eighth, of the massacre of St. Bartholomew, of the devastation of the Palatinate, of the reigns of our Stuart kings, of the massacres of September, of the treatment of Hungary by Austria, and of Poland by the Emperor Nicholas, of the annexation of Norway to Sweden by ourselves, and of many other crimes almost equally flagitious—contain no record of such incessant treachery, of such cruel avarice, of such long, persevering, deliberate, cold-blooded oppression, and such utter indifference to the welfare of millions (I say nothing of unjust wars), as are to be met with, so long as it was governed by the East India Company, in the chronicles of Hindostan. Far from holding such crimes up to admiration, and shouting with the herd in the train of prosperous injustice, it seems to me that it eminently behoves every native of this island to do what in him lies to absolve his country from the shame belonging to such transactions ; and by disclaiming all sympathy with those who were the chief agents in them, by pointing out their frauds

and stigmatising their rapacity, to show that though the English, from their insensibility to all that is distant, and aversion to all that is foreign—above all, from their incapacity of appreciating any form of civilisation but their own—have erred on the side of apathy and indifference, they are not so distant from all generous emotions, or so inaccessible to all the dictates that integrity and honour bid us venerate, as to think success and wealth any justification of such actions, or to abstain, when they are brought home to their eyes and ears, from joining with the choir of all civilised men (let their creed be what it will) in pronouncing their condemnation.

In no country have the evils which must always result from the tyranny of one race over another, when the inhabitants of the same soil, though locally intermingled, are, morally speaking, separated by an impassable barrier, been more exemplified. To this must be added another circumstance, which Mr. Burke has dwelt upon, and the importance of which it is difficult to overrate. It is a great difference between the English plunderer, and those invaders who swept like hurricanes over India, that the Englishman never intended to lay his bones, or even to grow old, in the country he had undertaken to govern.<sup>1</sup> Once gorged, the avarice of the Mogul and

<sup>1</sup> The annual sum from India distributed among the English is upwards of £10,000,000, and in ten years ago the English dominion had been swept away,

his nabobs came to an end. But the English government consisted, by its very nature, of a successive flight of needy adventurers, each aiming only to collect in the shortest possible time a sum that would enable him to live at ten thousand miles' distance from the race among which he was an unwilling sojourner. The leech was never bloated; no sooner was one satisfied than another took his place. To pay the vast salaries which alone can tempt men not bribed to live in such a climate, and at such a distance from all European objects, a system of grinding taxation must be enforced. The freebooter plundered and passed on. The Englishman plundered and remained to plunder still.<sup>1</sup> His protection was

the traveller of a later age would have looked in vain for any trace of its existence. No monument of charity or utility, not even the common and largely remunerating labours of irrigation, would have proved that the welfare of a people to whom they owed so deep a debt had ever occupied the thought of their rulers. In 1842 the English government had exhausted the precious metals accumulated for centuries in India, without having opened a well, or constructed a tank, or dug a canal, or built a bridge. Every public work dates from a period before their rule. "Les travaux des Hindoos comme ceux des Romains, étaient gigantesques et semblaient faits pour l'éternité ceux des Anglais portent un cachet de mesquinerie presque générale."

<sup>1</sup> The Asiatic and Colonial Register says, "that in Bengal the public officers are obliged to travel in palanquins, owing to the impassable state of the district roads, and the want of bridges." March, 1851.

"I reckon," says a celebrated engineer, "that India now (1851) pays, for want of cheap transit, a sum equal to the whole of the taxes."

Speaking of the Madras Presidency, Colonel Cotton says, "The Company did not take the least pains to prevent a famine. To say nothing of the death of a *quarter of a million* of people in Guntoor, the Public Works Committee in their report calculate that the loss in money by the Guntoor famine, was upwards of two millions sterling."

Well may he call such a government "stupid and merciless." We should



worse than the pillage of the Mahratta chief, for it was a permanent organised system, which rendered it impossible for the labourer to shake off the weight of a monumental debt that pressed him, in spite of unremitted labour and self-denial almost fabulous, to the earth. The hand of the sharp English collector, anxious to win the favour of his superiors by wringing the utmost penny from the miserable cultivator, has left greater and more durable scars on the face of India than the sabre of the Affghan or the hoofs of the Mahratta cavalry. The inhabitants of that much pillaged land found the little finger of the East India director—inculcating moderation and humanity in language that might become Socrates in one page, and in the next demanding an exorbitant tribute, which could be extorted only by actual tor-

have escaped our injury from the want of supply of cotton, if the Godavery, reaching into the heart of Beiar, the finest cotton district in India, had been made navigable, as it might easily have been; but we are a practical people, and rely on those who profit by abuses for their correction.

Mr. Bird, Governor of Agra, told the House of Commons in 1851, "The observation of travellers through Bengal and Agra would be, how very little has been done by the government of India for the improvement of the country."

"One of the most serious charges brought against the administration of the Company in India has always been the neglect of all public works; and the disadvantageous contrast it exhibits . . . to its less enlightened predecessors the Mahometans. It is impossible for any man to travel through the two provinces of Bengal and Behar, which have been longest in our possession, and which have yielded the largest amount of revenue, without a painful feeling that the charge is not without foundation. The appearance they present, after more than ninety years' occupancy, is that of the neglected estate of a spendthrift landlord. For one good road we have constructed, we have allowed twenty to disappear."—*Friend of India*, April 24, 1851



ture, and by plunging whole districts in misery unspeakable, with a reckless avarice that Macedonianus<sup>1</sup> could not have surpassed—heavier than the loins of their other rulers. Their oppression was more terrible because it was more systematic. The English rule was an eternal spring, and seminal principle of evil. If a man conversant with human nature and with history, were told to devise a bad government, he could hardly suggest one more likely to produce misery, than thousands of raw, inexperienced, half-educated, foreign youths scattered over a vast territory—sullen in their disposition, presumptuous in their demeanour, narrow in their views, imperious in their habits, imperfectly acquainted with the language, exercising nevertheless every function of importance, wringing from the soil a varying tribute, without any kind of association or sympathy with the millions whom they governed, treating them as absolutely their own for all purposes of profit, and as absolutely strangers for all purposes of beneficial intercourse, improvement, and good will.<sup>2</sup> Except during the actual moment of invasion, this is

<sup>1</sup> A Roman usurer, against whom a special law, called the “*Senatus consultum Macedonianum*,” was enacted.

<sup>2</sup> M. de Warrenne served many years in the royal army in India. He is a very intelligent writer, and was a favourite in the mess-room. He says (vol. ii. 192):—“*Si les Anglais dans L’Inde sont détestés dans leur généralité et comme gouvernement, le sont ils moins dans les relations de la vie privée? Non. Leur vanité toujours aggressive froisse toutes les autres vanités.*” La Noye, a learned Orientalist, says (p. 180), the English are still “*étrangers campés au milieu de*

the very worst form of tyranny—worse than that which, at the downfall of the Roman Empire, the civilised inhabitants of towns, in spite of severe laws and frightful punishment, fled to the camps of Attila and Alaric to avoid. Having premised these remarks, I propose to give a slight survey of the state of India when the English first took a prominent part in the political transactions of the East.

After the death of Aurungzebe, who added the Deccan to the territories of the Mogul, the empire, which had reached the highest point of splendour in the days of Akbar, began to share in the fate common

leur conquête," "N'exigez rien d'eux en vue des natifs" (p. 179). "Les Anglais n'ont pas cette sorte de magnificence qui tourne au profit du pauvre peuple." "Trop préoccupés des intérêts positifs, les Anglais ne savent pas jouir de tout ce que L'Inde leur offre de si original, je dirai même exquis, pour eux tout y'est trivial et commun" (p. 21). "La grâce sans apprêt de leurs vassaux Asiatiques est lettre close pour eux, car le naturel choque l'esprit habitué au factice." For sixty years after the English were absolute rulers of Bengal, Orissa, and Behar, they did not open a single road. "Aujourd'hui," says an author, certainly not misled by his sympathy for the Indian population, writing in 1857, "en dehors du Grand Trunk Road tout le mouvement des marchandises dans le Bengale s'opère a travers des sentiers a peine frayés, ou sur des rivières dangereuses navigable seulement a certaines saisons de l'année—le haut prix du transport ferme ainsi aux produits d'une faible valeur intrinsèque les grands centres de transactions commerciales."—VALBEZEN, p. 230.

What bitter reflections must the following lines awaken this year in the mind of every Englishman. "Les voies de communication sont si imparfaites dans L'Inde, que le coton n'arrive au port d'embarquement qu'après avoir passé des mois entiers sur des rivières navigables seulement a certain mois de l'année, ou sur des sentiers a peine frayés, après avoir considérablement souffert de l'intempérie des saisons et des lenteurs du voyage."—*Ibid.*, p. 247.

Such is the way in which the East India Company fulfilled its trust, and in consideration of such patriotism was that trust renewed in 1852.

to all vast dominions, and, after a short period of external splendour, to enter upon a downward career of impotence, confusion, and decay, with great and accelerating rapidity. The same causes which in modern Europe brought about the establishment of the feudal system, of which Charlemagne himself could only for a time arrest the progress, led in Asia to the establishment of several thrones on the ruins of the ancient dynasty. Some, like the dukes of Burgundy and Bretagne in France, still called themselves the vassals of their ancient sovereign, and exercised, as delegates of the Mogul emperor, an unrestrained authority. Others declared themselves independent in name as well as in fact. The terrible invasion of Nadir Shah, in 1739, obliterated almost the last traces of this antique power ; and when the tempest had rolled away, little of the crumbling fabric over which it had burst was visible. The mockery of state was still preserved at Delhi : the same sounds were still heard ; the same ceremonies were still observed ; the same firmans were still issued. A skilful use of the respect always paid by the great mass of mankind to names which they have been long accustomed to revere, might have enabled the Indian emperor, in particular conjunctures, to exercise an influence like that which was the origin of Papal domination, and which to the last lingered over the throne of the holy Roman Empire.



But even this shadow was lost by the helpless incapacity of the puppets who succeeded to the name of Emperor of the East. The diadem of Aurungzebe still glittered on their brow; crowds still prostrated themselves before the peacock throne; but their sceptre had become a reed, and the most august dominion the world had seen had dwindled into a pageant scarcely regarded even by the submissive and effeminate population of Bengal.

Among the new dominions which were constructed out of the fragments of this once mighty empire, one, of which Hyderabad was the capital, included a large portion of the Deccan, or the southern portion of Hindostan; a second, to the north and the north-east, was the Mahratta confederation; to the south of the kingdom of Hyderabad was the kingdom of Mysore. This was once included in the Carnatic, a district the boundaries of which have fluctuated with the political transfigurations of the East. At one time it comprised all the country situated between the Kistna, the Cavery, the Western Ghauts, and the Gulf of Bengal. This district was divided by a natural barrier of ghauts, or mountains, into the region above and the region below the mountain range. A line drawn from the north to the south would pass through Ganikotta, a fertile valley, celebrated for diamond mines; Goromkondah and Banamahl, abounding in rich pastures; and Koimba-



tore, watered by the Cavery and other smaller streams, with a fruitful soil and a redundant population, which supplied the armies of Tippoo Saib. To the north and south of these provinces stretches the kingdom of Mysore, or Maissour—so called, it is said, from the redness of the soil and the valuable dye produced by the plants that grow upon it. These, when the English began to mingle in the contests around them, were the principal Oriental rivals of their power in Hindostan.

Other states of the second order had grown from the same origin. The Grand Vizier of the Mogul was, by virtue of his office, Governor of Oude. There he had established a really independent kingdom. The territories of the Rajpoots in the north; the principalities of Coimbatore, of Travancore, of Tanjore, of Cochin, to the south; another less considerable on the coast of Malabar; the Carnatic on the eastern coast,—were all governed by rulers of almost absolute independence, whether they called themselves vassals of the Mogul, or recognised the supremacy of the three great kingdoms that have been mentioned. To the north-west of the peninsula were the Affghans, whose invasions are written in many a dark and bloody page of Indian story. True to the traditions of their race, they looked upon the Mogul as an usurper, and upon his dominions as their lawful prey. The conquest of

India, which they had been more than once on the point of accomplishing, was the project which every chief among them, of capacity and resolution, aspired to realise. Not less formidable neighbours were the Seikhs, who had created for themselves in the Punjaub a government and a religion of their own. Towards the east, protected by the mountain fastnesses of Nepaul, were the Goorkas, with the habits of banditti and the valour of soldiers. The mountainous district of Rohilcund was occupied by the Affghan tribe of Rohillas, a race not less eminent for warlike instincts than for agricultural skill and labour, which made their rugged land, till it was laid waste by the unspeakable wickedness of the English government, the boast and garden of the East.

Hyderabad is the capital of the Deccan. The kingdom had been founded by Nizam Ul Mulk, one of the most remarkable figures in Oriental history. He died in 1748, having lived to the age of one hundred and eight, and governed the Deccan with absolute authority for thirty-five years. On his death a disputed succession led to the interference of the French, whose influence was supported by the great abilities of Dupleix, and afterwards by those of Bussy, bred in the school of Dupleix, in the affairs of the Deccan. The rivalry of the English brought them into relations with the rulers of Hyderabad.

The vice-royalty of the Deccan<sup>1</sup> then extended from the banks of the Kistna almost to the northern extremity of the peninsula. Here, as in Europe, titles originally personal had become hereditary. Most of the Hindoo princes had preserved their states, subject to an annual tribute. The Nabob of the Carnatic was in reality independent; so were the Rajahs of Malabar, Travancore, and Mysore.

At the period when the Mahometan supremacy established itself over the Deccan, Mysore was part of the Hindoo kingdom of Bizanugur. Long wars were carried on between Mysore and the conquerors. They ended in the independence of Mysore; and at the period immediately preceding the ascendancy of the English, there arose a man who, in the course of a splendid career, erected a new kingdom of Mysore, and taught the English there were to be found in Hindostan spirits as daring, and resolutions as inflexible, as their own. Such was Hyder Ali. This extraordinary man rose from the rank of a simple peon, or soldier employed in the collection of taxes—and after many vicissitudes and dangers, that nothing but the most heroic courage could have enabled him to surmount—to be one of the most powerful rulers of Hindostan. Another great warrior, Sevajee, had

<sup>1</sup> “According to some the country is called the Deccan because it is to the south; according to others, because it is on the right hand.”—MALTE BRUN, vol. ix. p. 596.

founded the Mahratta empire. He was at first the leader of a troop of banditti, and having obtained possession of Poonah and the adjacent territory, made it the centre of his power. It was the time when Aurungzebe was at war with his father and his brothers. Fortune at first was adverse to Sevajee. He became the prisoner of the Mogul; but he escaped from captivity, recovered his power, openly renounced the Mogul supremacy, coined money in his own name, collected a brilliant host of forty thousand cavalry, and died the sovereign of a kingdom, on the east bank of the Indus, extending one hundred miles in breadth and four hundred in length, which continued to increase, till the battle of Paniput, 1760, put an end to a long career of uninterrupted prosperity.

Before it had recovered from this terrible blow, the kingdoms of Mysore and Hyderabad had grown up. The English had consolidated their strength with all the resources of European warfare, and the gorgeous dream so nearly realised by the successors of Sevajee, of placing themselves on the throne of Delhi, had passed away. The Mahratta<sup>1</sup> empire was a confederation of separate states. The scenes that followed the events I have related, resemble closely those which took place under the Merovingian kings, and the successors of Charlemagne. According to the

<sup>1</sup> “*Maha Raschtsa*—great warriors.”—MALTE BRUN, p. 599, tom. 9.



institution of the Hindoos, the Mahratta sovereigns, the descendants of Sevajee, were assisted by a council of Brahmins. The head of this council was called the Peischwah. Gradually, like the Mayor of the Palace under the feeble successors of Clovis, the minister became the ruler. The nominal and legitimate sovereign, surrounded with every form of external respect, was a state prisoner at Sattarah, while the Peischwah was established at Poonah, the real capital of the empire. In their turn the Peischwahs became as degenerate as the Carlovingian rulers, who had supplanted the long-haired kings, and became the mere instruments of active and daring ministers. The reins of empire were firmly grasped by Holkar, Scindiah, and other warriors, who were content, however, to leave the degraded Peischwah what the Peischwah had left his master—the signs and exterior of a power which they were no longer allowed to exercise.

The English were long satisfied with the profits<sup>1</sup> of commerce, or of piracy, and did not aim at territorial aggrandisement; but in 1689 instructions were issued to their agents that contain the fruitful seed of the calamities that their government has

<sup>1</sup> How entirely every idea of promoting the national welfare was foreign to the scheme of the East India Company from the first hour of its existence, may be judged of from the fact stated by Mill :—"The tenth committee (of the directors) was of a characteristic description; it was the committee for *preventing the growth of private trade.*"—*History of India*, vol. i. p. 9.

brought upon the Indian peninsula—the execution of which exhibits to mankind the most gigantic example of triumphant wickedness that modern history presents. Holding out to their servants the example of the Dutch—in the despatches of whose agents there are, they say, ten paragraphs on tribute for one concerning trade—the directors inform them that they wish to be a nation in India. At this time the whole extent of their possessions consisted of some scanty strips of territory, for which they paid rent, round Madras and Bombay. But in conformity with these instructions, their agents sought every occasion to purchase any district that the native princes could, from whatever motive, be induced to alienate. Their first acquisition was Tegnapatam, on the Coromandel coast, which they garrisoned, and to which they gave the name of Fort St. David. In 1698, Azim Oosham, whom his father Aurungzebe had made Viceroy of Bengal, sold to the Company the Zemindarships of the towns and territories of Chutamutty, Gooinpore, and Calcutta. On this last site they erected Fort William, and in 1707 it became the seat of the Presidency.

In 1717 the gratitude of the Emperor Feroksere to a Scotch physician, Hamilton—who had cured him of a disease by no means uncommon, but which, nevertheless, had baffled the skill of the native physicians—enabled him to acquire for his country-

men a most important privilege. Besides a concession of territory, permission was granted to the English at Calcutta to import and convey their goods free from search or duty. Thus favoured, they extended their trade till the annual sales amounted to two millions yearly, and realised a dividend of seven and eight per cent. Well would it have been for the true welfare and happiness of England, morally and financially, far better for Hindostan, if this state of things could have continued, and our relations with India have been those only which arise from the reciprocal blessings of a flourishing and extended commerce. But the open war which broke out in 1744, between France and England, entirely changed the aspect of the Company's affairs, both with regard to India and to Europe. To understand this, it is necessary to examine the progress of the French in the Eastern world, which was to become the battle-ground of European avarice and ambition. A French East India Company had been established in 1644, under the auspices of Colbert. The efforts of the adventurers, though protected by all the privileges which, according to the notions of that age, could ensure success to such enterprises, were at first unfortunate. After failures at Madagascar and Surat, Martin, an officer of great abilities, collected his countrymen and settled them at Pondicherry, where, by conciliating the inhabitants, he



established a flourishing trade, and raised the settlement to a state of considerable prosperity. That city, with the smaller factories of Mahé and Carical, as well as of Chandernagore in Bengal, were the settlements of France in India, when, in 1744, the war, which had been carried on with great animosity on the other side the globe, involved the peaceful inhabitants of India in its ravages. Three men of amazing ability appeared in this struggle on the side of France, who, had they acted in concert, and, above all, not been betrayed by a pusillanimous and profligate government at home, would have been more than sufficient to cast the balance in favour of their country. These were, La Bourdonnais, Dupleix, and Bussy. The only rival name on the side of England is that of Clive, who has left behind him a reputation of doubtful lustre. Though he never lost sight of his own interest, he rendered great services to his country. If he dishonoured her by his rapacity and breach of faith, by his military genius he made her name—which, when he came forward to vindicate it, was despised throughout India—terrible to her enemies, and a tower of strength to her allies. Though greedy of money, he was capable of generous actions. His courage was desperate; his presence of mind was imperturbable; his views, although not extended, were sagacious. No one ever surpassed him in firmness of purpose. Careless of all moral obstacles,



he contributed much in later life to mitigate the evils which, while amassing a vast fortune, he had caused, and to check by law what he had encouraged by example. Compared indeed with the Condottieri of the middle ages, or with the leaders who laid waste Germany in the Thirty Years' war, his crimes are venial ; but his character, even in that age, more than required all the indulgence which his contemporaries—by no means severe judges of probity and honour—were ready to bestow on the man who chased our rivals from the soil on which they had well-nigh rooted themselves, and had added to the dominion of England the richest provinces of the East.

La Bourdonnais had raised himself from the rank of a cabin boy, and was now Governor of Bourbon and Mauritius. He had firmly embraced the design of attacking the establishments of the East India Company. In 1746 he arrived at Pondicherry, and sailed from thence with a small squadron to attack Madras. After sustaining a bombardment of five days, and losing three or four men and three houses, the place capitulated. It was an article of the capitulation that, after the French flag had waved from Fort St. George, and La Bourdonnais had taken possession of the Company's magazines and warehouses, it should, on payment of a fixed ransom, be restored to the English. From Madras, La Bourdonnais returned to Pondicherry, whence, after

a long struggle with Dupleix, he sailed for France ; then, as a reward for his great services, he was flung into the Bastille, where he continued for three years. Dupleix, to whom his departure left the undisputed ascendancy over the French power in India, had all the qualities that belong to the founders of empire. He meditated designs which, if they had been accomplished—and at one time they seemed very near their completion—would have made France the mistress of the East. His first object was the annihilation of the English power. With this project the surrender of Madras, according to the terms of the capitulation, was incompatible. An address was presented to Dupleix from the inhabitants of Pondicherry, remonstrating against the terms of the evacuation agreed to by La Bourdonnais. With this request Dupleix complied. The treaty was violated, the magazines were seized, and the governor and principal inhabitants were paraded as prisoners in a kind of triumph through the streets of Pondicherry. Dupleix next turned his army against Fort St. David, still in the possession of the English. In the meantime a single battalion of French soldiers had repelled an attack made by the Nabob of Arcot on Madras and defeated, a whole army. This, says Orme, broke through the charm which for more than a century had rendered Europeans unwilling to encounter the troops of the Mogul.

Dupleix pursued his design against Fort St. David. The Nabob, irritated by his defeat, had sent his army to assist the English. But he was easily prevailed upon to abandon what Dupleix persuaded him was a hopeless cause. He withdrew his troops, and thus relieved Pondicherry from considerable peril. Dupleix occupied a strong position, and the fall of Fort St. David seemed at hand, when the appearance of an English fleet under Admiral Griffin obliged the French army to retreat. The garrison was reinforced, and Major Lawrence, a gallant veteran, who was appointed to command all the English forces in India, arrived at the fortress. The forces of the two nations were now nearly equal, and, except an unsuccessful attack by the French on Cuddalore, no important movement was made on either side. The arrival of an English fleet of nine ships of war, under the command of Admiral Boscawen, and having on board fourteen hundred men, gave the English a decided superiority. They now assumed the aggressive. They laid siege, in their turn, to Pondicherry, but after some inglorious efforts, were soon forced to retreat, much to the detriment of our military reputation. The French exulted, and Dupleix was preparing to turn this failure to account, when tidings were brought of the Peace of Aix-la-Chapelle, one of the conditions of which was the restoration of Madras. The French



and English were thus left in exactly the same condition as before the war began. While they stood gazing at each other, and acts of direct hostility were still forborne, the English disgraced themselves by an act of perfidy which, though lost in the crowd of similar actions in the East, would, if perpetrated in Europe, have ranked with those which have been transmitted as by-words to posterity. The deed was this. A prince of Tanjore solicited the aid of the English to replace him on the throne from which he had been driven by his brother, offering in return the fortress and district of Devicottah, on the banks of the Coleroon. The English had been for years in amicable correspondence with the actual ruler, from whom they had received no kind of provocation. That did not prevent them from at once embracing the cause of his adversary. They laid siege to Devicottah, but soon were forced to make an ignominious retreat. A second attack was resolved upon, and after great exertions—principally through the skill and courage of a common carpenter, named John Moore, who constructed a raft and swam the river to fasten the rope of it to a tree—the fort was taken. No sooner was it taken than the English deliberately sold their ally, the prince whose cause they had taken arms to support, to his enemy, in exchange for the fortress, and a territory of the annual value of nine thousand pagodas revenue.



Nor were they satisfied with merely abandoning his cause : they agreed to keep him in prison so long as a sum amounting to £400 a year was paid for his support. But for Admiral Boscawen, he would have been delivered up at once to his enemy. The wretched victim of English avarice contrived to escape from his betrayers. In return they seized upon his uncle, and kept him in prison at Fort St. George nine years, till that stronghold was taken by the French in 1758, when he was set at liberty.

The views of Dupleix were far more generous and profound. The death of Nizam Ul Mulk had occasioned dissensions in the Deccan, and on these he built his hopes of establishing the supremacy of his country in Southern India. With this object he offered his assistance to Mirzapha Jung, who aspired to be Subahdar of the Deccan, and Chunda Saheb, whose object it was to make himself Nabob of the Carnatic, in opposition to Nazir Jung and Anwar Ud Din, the actual holders of those dignities. Accordingly Dupleix sent D'Auteuil with three thousand men, four hundred of whom were Europeans, to join the army of the confederates. In the engagement which followed, the Nabob Anwar Ud Din, who behaved with the utmost courage,<sup>1</sup> was pierced through the heart with a musket shot. A complete rout ensued, and Arcot surrendered to the allies of

<sup>1</sup> He was one hundred and seven.

Dupleix without resistance. Mohammed Ali, the second son of the fallen Nabob—the eldest had been taken prisoner—fled immediately to Trichinopoly. Dupleix urged his allies in vain to hasten to lay siege to that city, one of the strongest in Southern India. Instead of following his advice they wasted their time by a display of pomp as Subahdar and Nabob in Pondicherry and Arcot, where they were received by Dupleix with Oriental magnificence. Meanwhile Nazir Jung, the second son of the Nizam Ul Mulk, drew together an army which Orme supposes to have amounted to three hundred thousand men, and appeared on the frontier of the Carnatic. Major Lawrence marched to his assistance. The French officers, sent by Dupleix to the assistance of his allies, mutinied, and thirteen among them resigned their commands. D'Auteuil withdrew; Chunda Saheb fled to Pondicherry; Mirzapha Jung surrendered himself, and was at once loaded with irons. Dupleix's resolution did not abandon him. After trying in vain to set on foot a negotiation with Nazir Jung, he began an intrigue with some discontented Affghan chiefs. To give effect to his schemes, D'Auteuil attacked the Mogul camp by night, penetrated into it for more than a mile, slew upwards of a thousand of the enemy, and returned with the loss of two or three men. Major Lawrence in disgust withdrew his men from Nazir Jung's

army. Soon afterwards the French commander stormed and took Gingee, a mountain fortress of such strength that it was considered impregnable. Dupleix continued to negociate with Nazir Jung, and the treaty was, it is said, actually concluded—certainly it was on the point of being so—when the Affghan malcontents suddenly demanded the assistance of La Touche, who had succeeded to the command of the French troops, in the execution of their design. No charge of perfidy can be made against Dupleix. There was not time, even if the treaty had been signed, for him to have communicated it to the general. In the conflict, Nazir was assassinated by his own troops. His army revolted at once. Mirzapha Jung was taken out of the house of bondage and acknowledged Soubah of the Deccan—a dominion more extensive than that of France. He was placed with great pomp by Dupleix on the throne. In return, he appointed Dupleix governor of the Mogul dominions from the river Kistna to Cape Comorin, and Chunda Saheb his deputy at Arcot. Meanwhile the fickle Affghan had rebelled against Mirzapha. Mirzapha was on the point of gaining a complete victory, when he was pierced through the head with a javelin. Bussy, with admirable presence of mind, immediately raised Salabat Jung, the eldest brother of the fallen Soubah, to the throne. The native leaders acqui-

esced in the choice, and the new ruler became, like his predecessor, a devoted servant of the French interest. The English now began to see that it was time to arrest this rapid tide of success. They still recognised Mohammed Ali as Nabob of the Carnatic. His dominions consisted of Trichinopoly alone. They despatched two bodies of troops to its relief. The commander of the first, Captain Cope, lost the greatest part of his troops in an attack upon Madura. The commander of the second saw the English troops at Golconda run away, while the natives stood their ground. However, they succeeded afterwards in flinging the soldiers into the city they were ordered to relieve. At this moment the genius and fortune of Clive saved the English power from destruction. The only parallel to the sudden change wrought by the appearance of this clerk on the swelling scene, where the destinies of millions were at stake, is to be found in the effect produced by the intervention of Joan of Arc in the war between France and England. In both cases, the result of entrusting with command a person whom it would have been thought insanity to consult as to the slightest particle of the mighty interests placed altogether in their hands, was the acquisition of an empire, and the ruin of an adversary till that time considered irresistible. If Joan of Arc was a servant at an inn, Clive was a book-keeper. If



Bourges was the capital of the French king, Trichinopoly was the only spot in the power of Mohammed Ali. If Henry the Sixth had been crowned in Paris, the French flag had waved from Fort St. George, and the chiefs of the resident English had been led in triumph by an insulting foe through the streets of Pondicherry. If Bedford and Talbot were opposed to Joan of Arc, Dupleix, everywhere successful, was the antagonist of the unknown Englishman. A writer desiring to illustrate the absolute dominion of Fortune over human affairs, and her wanton sport with human deeds and counsel, might hesitate which of the two instances furnished the strongest illustration of his argument. When the capitulation with Madras was violated, Clive made his escape to Fort St. George in the dress of a Mahometan, and at the siege of Pondicherry he had entered the military service with the rank of ensign. Lawrence had been struck by his vigour and capacity. His first act was to assail Arcot. The garrison fled, and the English took it without the loss of a man. Chunda Saheb, who, with his French allies, was besieging Trichinopoly, detached four thousand men from his camp, and sent them to assist the garrison, that had now recovered from its panic, in the siege of Arcot. The whole force employed against the city amounted to ten thousand men, and was commanded by his son, Runjah Sahib. The fort, to any ordinary

commander, would have seemed untenable. The garrison did not amount to four hundred men. The siege lasted fifty days. A storming attack was repelled; on the next day the enemy had disappeared, leaving several guns and a large quantity of ammunition to the victorious English. During this siege an event happened which ought to cover the unmanly revilers of the Indian character—as if slander<sup>1</sup> was an excuse for oppression—with perpetual confusion. Provisions had fallen short in the fort. The Sepoys—whose numbers were two hundred men, the Europeans being one hundred and twenty—went to Clive to implore him to give all the grain to the Europeans, who required more sustenance than the natives. The water in which the rice had been boiled, they said, would be sufficient for themselves. A more touching instance of generous fidelity is not to be found in history. Meanwhile, Mohammed Ali, assisted by fresh reinforcements from the English, and a large body of troops from the Regent of Mysore, succeeded in raising the siege of Trichinopoly.

<sup>1</sup> In the same spirit the English consoled themselves for their misgovernment of Ireland by abusing the Irish character, and of the Ionian Islands by abusing the Greeks; and when, as the allies of Spain, we had become as odious as the French invader, we sought refuge from the consequences of our own insolence by depreciating that high-spirited, eloquent, and witty nation. Shall we never learn that, superior as we are in some respects to other countries, we are as much below them in others; and that nations as well as individuals stand in need of reciprocal indulgence? If the Spaniards have their bull fights, have not we our law and legislation? our game laws? our *congés d'élire* and convocation? Have not our bishops palaces? and do not twenty-five sit in the House of Lords?

The French troops retreated to an island formed by the rivers Coleroon and Cavery. Chunda Saheb, deserted by his troops, surrendered, under a promise of protection, to the King of Tanjore. He was put in irons ; a dispute arose as to the custody of his person, after which he was immediately put to death by order of the Tanjorine. Though the charge that Major Lawrence caused his murder is a mere ebullition of national antipathy, it is certain that the English commander, by firmly insisting on his custody, might have saved his life. Major Lawrence, though not a man of genius, served his country faithfully. He was an excellent specimen of an English veteran. He was above corruption. He died nobly poor, and the preceding lines were not written without regret. The French troops soon capitulated, and were sent as prisoners of war to Fort St. David and Trichinopoly.

No sooner, however, had the English arms acquired this decisive advantage, than disputes broke out among our allies. The Mysorean chief claimed Trichinopoly, by virtue of a promise made by Mohammed Ali in his distress. The knowledge of these disputes induced the commanders of several districts, among whom was the Governor of Gingee, to refuse obedience. Dupleix intercepted a detachment of Swiss proceeding from Madras to Fort St. David, and though defeated by Major Lawrence at



Bahoor, laid siege, with the assistance of Mortiz Ali, governor of Vellore, to Trichinopoly. That key of our position in the south did not contain provisions for fifteen days. Major Lawrence hastened to its relief. Forty thousand of its inhabitants had been compelled by famine to leave it. The immense city was defended by a garrison of two thousand men. Various exploits were achieved in the defence, which was still prolonged. On the maintenance of that town depended the possession of the Carnatic. In the meantime Bussy ruled thirty millions of subjects in the Deccan. He baffled a combination of the great men against him, and, as a security for the payment of future arrears, obtained an extensive district, including the Northern Circars on the coast of Coromandel and Orissa. This gave the French a territory of 600 miles, yielding a revenue of £855,000. At this crisis the French commissioner, Godheu, arrived at Madras to supersede Dupleix. The English had stipulated that Dupleix should not interfere in the treaty to be concluded; and the French ministry, careless and ignorant of all that related to India, was infatuated enough to yield to this demand. A treaty was made by which all the vast power Dupleix had acquired for his country was at once abandoned; Mohammed Ali was left undisputed ruler of the Carnatic; and the French gave up the immense dominions they had acquired in



the Northern Circars and Orissa. Dupleix<sup>1</sup> was the first man who saw through and despised the illusion of the Mogul power. Had he been supported by France as he deserved, and as his great projects required, he would have placed Chunda Saheb in the Nabobship of the Carnatic—have been, in fact, the ruler of the Deccan, and have reduced all other European settlements in the East to insignificance. Well was it for England, when the English were driven out of Bengal, and Bussy was all-powerful at the court of the Subahdar of the Deccan, that this great man no longer directed the councils of their enemies. The peace thus concluded was only nominal, and even that lasted but for a few months. In spite of their agreement not to add to their territory, or to interfere in the disputes of the native princes, the English sent a body of troops against Madura and Tinnevely. The French, after remonstrating in vain, imitated their example, by an invasion on a small state called Teniore; and it was evident that all covenants to prevent these powerful rivals from taking part in quarrels that might give one a preponderance over the other in those opulent regions would be in vain. The Seven Years' war, however, soon broke out between France and England, and the former country at length determined to make the most vigorous efforts

<sup>1</sup> "Bene ausus," as Livy says of Alexander, "vana contemnere."

to secure the pre-eminence in India. A powerful armament was fitted out, the command of which was entrusted to Count Lally, an officer of Irish extraction, animated by an implacable hate to England, and distinguished by the brilliant courage he had displayed at Fontenoy. He landed at Pondicherry in 1758; at five in the afternoon of the same day his troops were on their march to Fort St. David—still considered the most important English settlement. The enterprise succeeded; the English garrison became prisoners of war, and the fortress was razed to the ground. This, however, was his only fortunate undertaking. Every other part of his conduct is stamped with precipitation and folly. Acting on a totally different system from that of Dupleix; relying for success solely on the sword; treating the natives of every class—whom Dupleix had laboured so earnestly and so successfully to conciliate—with insolent contempt, he became in a short time an object of abhorrence to his own countrymen. In spite of the most earnest remonstrances he obliged Bussy, who had succeeded in establishing a complete ascendancy in the court of Salabat Jung, whom he treated as an impostor, to leave the Deccan. A striking and generous testimony was paid by his countrymen to the signal merit of this distinguished person. His rank when forced to join Lally was only that of lieutenant-colonel.

Besides a major-general, six colonels had accompanied Lally to India. All six signed a requisition that Bussy might take rank above and command them. Lally, after obtaining some supplies from the Carnatic, laid siege to Madras. The garrison, commanded by Governor Pigot and Lawrence, made a desperate resistance. At length an English fleet appeared, with six hundred fresh troops. Then Lally broke up the siege, and returned, amid the execrations of his countrymen, to Pondicherry. The English, in their turn, became the aggressors. Before October, Pondicherry was closely invested; on the 14th January, 1761, the city surrendered, and Lally, protected with difficulty by his conquerors from the fury of his countrymen, returned to France, where a cruel and ignominious death awaited him. The incapable ministers presented him as a victim to the popular indignation, then wrought up by national disasters to the highest pitch. He was condemned on charges utterly groundless, and sentenced to death. Having vainly endeavoured, in an agony of passion, to stab himself with a pair of compasses, he was dragged on a dungcart, with a gag in his mouth, to the place of execution, where as foul a murder was committed by the sword of justice as it ever was employed to perpetrate under a monarch of the House of Bourbon, or during the frantic violence of the Revolution.

Very different from the fate of this unhappy man, and even from that of Dupleix—who, after he had been superseded, was allowed to languish in obscurity and actual want, having disbursed<sup>1</sup> in the service of his country three millions of rupees more than he had received—was the destiny of Clive. His health obliged him to return to England, where he was welcomed with many signs of gratitude and respect. He had then contrived to acquire a moderate fortune, but this soon diminished so rapidly that he was glad to accept the offer of the Directors to return to India. He was appointed Governor of Fort St. David, made a lieutenant-colonel in the royal army, and sailed again for India in 1755. Before he had been two months in his government, an event had happened which called for the exertion of all the qualities that had pointed him out to the notice of his superiors, and enabled him in so short a time to acquire so brilliant a reputation. To understand what happened in consequence of this event, we must retrace our steps, and turn our eyes on another portion of the vast territory which is the immediate object of our attention.

<sup>1</sup> “Dupleix fut réduit à disputer à Paris les tristes restes de sa Fortune contre la Compagnie des Indes. . . . Il en mourût bientôt de chagrin.”—VOLTAIRE, *Siècle de Louis XV.*, c. 39.



## CHAPTER VII.

## INDIA.

THE valley of the Ganges is, for the richness of the soil, the number of the inhabitants, and the facility of internal communication, the fairest possession of England in the East.<sup>1</sup> It is more fertile than the valley of the Nile.

Bengal, situated between the twenty-first and twenty-sixth degrees of northern latitude, and reaching from the eighty-sixth to the ninety-second degree of longitude, counting from the meridian of Greenwich, is the most eastern of the provinces which belonged to the empire of the Great Mogul. The Ganges—the great moving highway of Northern India, which takes its rise among the mountains that form its frontier—runs in a south-

<sup>1</sup> The population of the Delta of the Ganges has been officially stated to be sixty millions, equal to the rest of our Indian empire, on one-third of its surface. In the Burdwan district the population is 568 persons on a square mile; in the Hoogly district, 562; descending the Ganges towards the twenty-fifth degree of latitude, it diminishes to 230 persons for each square mile, which is the proportion at the foot of the Himalaya: the mean amount being about 260 for each square mile.

eastern direction for more than three hundred miles, and receives the Jumna at Allahabad ; from thence it flows in the same direction, and after the union of several other streams, enters the province of Bengal. There it divides itself ; one branch, called Cossimbuzar,<sup>1</sup> flows towards the south, and under the name of the Hoogly unites with the Jellinghy to make the port of Calcutta, and pours through an enormous plain of rich alluvial mould into the ocean. The main stream, the great Ganges, after receiving several rivers, joins the Brahma Poutra, a still mightier stream, issuing from the east of the same mountain chain in which the Ganges has its origin. A never ceasing tempest sweeps over the conflux of this gigantic mass of waters, which pours itself into the sea through several channels, thirty-five miles below the junction.<sup>2</sup> Bengal, bounded on the north by Nepaul and Bhutan, on the south by the Bay of Bengal, and on the west by the provinces of Orissa and Bahar, stretches itself in the east to the mountains of Thibet, which separate it from Arracan, and what till lately was the Birman empire. The coast which runs from the mouth of the

<sup>1</sup> Or Baghiretti.

<sup>2</sup> "It is on the Punjaub, and the northern strip of territory, the valleys of Cashmere, Goorkha, and Nepaul, that the ancients found such surprising instances of longevity."—STRABO, p. 15. Farid, the Portuguese historian, says that in Guzerat there were many instances of persons who had reached the age of 200 years.—MALTE BRUN, vol. ix. p. 516.

Hoogly to that of the Ganges, is a desert.<sup>1</sup> Within it are vast swamps, covered by rank and noxious vegetation, and tenanted by savage animals. The entire surface of the triangle, formed on the west by the Cossimbuzar and the Hoogly, on the east by the Ganges, and of which the sea is the base, consists of deep alluvial soil, and is of unrivalled fertility. The portion of it which is not watered by the Ganges or its branches, is irrigated by streams that descend from the Himalaya; and from the month of May to that of August torrents of rain descend upon it. There is no spot of the earth where all that is necessary for the support of its inhabitants is raised with more facility. Much less than a farthing supplies the Hindoo with the daily rice which is the staff of his existence. Spices, grain, indigo,<sup>2</sup> sandal wood, opium, pepper, vegetables, and fruit are equally abundant. Sugar,<sup>3</sup> though it requires more labour, can be raised with the same success. The cattle, though small and

<sup>1</sup> The Soonderbund is equal in extent to England. It is a gigantic morass, —a mere labyrinth of stagnant water and jungle, and kept in that state by English policy.

<sup>2</sup> The annual produce of indigo from Bengal is from 100 to 12,000 maunds. Before the discovery of the passage by the Cape of Good Hope, it was imported into Europe through Aleppo. Towards the close of the seventeenth century the English company imported 50,000 pounds yearly. Afterwards the commerce ceased, from the rivalry of the Antilles. The Directors turned their attention to it again in 1779.

<sup>3</sup> The sugar of the sugar-cane is likely to be some day supplanted in Bengal by the sugar of the palm-tree (*Phoenix Sylvestris*).

yielding little milk, more than compensate by their numbers for their want of strength. Fish swarm in the rivers; the woods are full of game. The desolate islands contiguous to the sea, furnish ten times the quantity of salt (in that climate more necessary than any other single element to the existence of man) requisite for the support of the population.<sup>1</sup> When we seized upon this land, the overflowing of its soil fed distant regions. The industry of the Bengal labourer produced the delicate tissues that clothed the pampered and fastidious daughters of the West, in the gorgeous halls where European manners allow them to vie with each other in demoralising luxury, and in the frivolous display of wealth very different from that of which Cornelia boasted. Such is the country where, at this hour, the labourer (ryot), toiling from morn to night, can hardly provide support for himself in the land of his fathers;<sup>2</sup> where he groans from his cradle to the

<sup>1</sup> As to the protection we afford in return for the sums we extort, the reader may refer to Mr. Halliday's Report on the Police of Bengal, in 1852. An eyewitness says:—" Dans ce petit delta du Gange, il se commet plus d'actions tyranniques, plus d'actions déshonorantes que dans les quatre présidences réunies. Là l'Européen le cultivateur d'indigo peut s'emparer du champ de son voisin couper la plante à sa maturité et profiter impunément des travaux et des sueurs du malheureux Hindoo pourvu qu'il ait plus d'argent que lui pour acheter de faux témoins—un faux témoignage se vend généralement trois ou quatre roupies."—*Revue des deux Mondes*, tom. iii. p. 36.

<sup>2</sup> " Ils n'ont le plus souvent d'autre nourriture que de la farine délayée dans de l'eau froide, à dont *faute de sel* ils cherchent à corriger la fadeur par des piments. Autour d'eux les champs sont couverts d'indigo, d'tabac, d'opium, de coton, d'huile de ricin, et de toute espèce de céréales, mais *faute d'avances* ils sont à la merci



grave under the accumulating burden of usurious debt,<sup>1</sup> which he has been forced to contract to pay the demand of the English ruler; where, in consequence of the savage government<sup>2</sup> of iron-hearted monopolists, the natives of a country twelve thousand miles away have been compelled to sell their daughters for food, where thousands have lain down more than once to die the lingering death of famine for want of a handful of rice,<sup>3</sup> and where hundreds

des Zemindars . . . . à quoi attribuer tant de miseres, est ce au manque de terres? non *car il y a des provinces entières qui restent incultes . . . . ce gouvernement veut l'impôt. . . .* "On n'a pas égard aux sècheresses et aux famines devenues si communes; . . . . le cultivateur n'a pas les ressources qu'offraient sous les empereurs les travaux publics; . . . . le culture forcée de l'opium, si nuisible au sol, si peu profitable au cultivateur, envahit des royaumes entiers et tous les meilleurs terrains; . . . . le monopole du sel, principalement à charge à la masse de la population, qui en consomme une grande quantité à cause de sa nourriture toute végétale, est un des plus odieux et plus tyranniques pour les malheureux Hindoos."—*Ibid.*, p. 632.

"Ces grand fleuves qui au moyen de canaux de dérivations pourraient fertiliser d'immenses régions, vont perdre inutilement leurs eaux dans la mer ou les sables. Depuis plus d'un siècle que les Anglais possèdent ce beau pays, qu'ils ont peu fait pour le bonheur du peuple. Est-ce en multipliant les boutiques d'opium et de marchands de vin dans le moindre village qu'ils ont pu améliorer l'état moral des individus?" How long will the English think they atone for this coacervation of evils and oppression by building cathedrals and establishing bishoprics?

<sup>1</sup> "Presque tous les ryots sont-ils endettés depuis plusieurs générations."—VALBEZEN, p. 228.

<sup>2</sup> "Le Bengale est si bien arrosé si fertile, et si riche par ses productions et l'industrie de ses habitans, que tous les fléaux ont en vain conspiré à le dépeupler."—MALTE BRUN, vol. ix. p. 585.

<sup>3</sup> "En considérant cette abondance et cette richesse de produits j'ai été frappé et on ne peut plus surpris de la misère affreuse dans laquelle sont plongés les *trois quarts* des indigènes. Une contrée où les mères sont souvent forcées de vendre leurs filles pour se procurer un peu de pain. Est-elle une contrée heureuse."—*Impressions d'un Voyageur, Revue des deux Mondes*, tom. iii. p. 629.

of thousands were daily mangled, distorted, and mutilated by disease, in all its frightful and most loathsome forms, because the ravenous and wolfish avarice of the stranger lords<sup>1</sup> had forbidden them to make use of the salt with which their islands are overspread.

Fortunately, however, for Bengal, and more fortunately for the English name, the East India director, though he has put a tax on salt, has not been able to farm out the light of the sun to his miserable serfs, to dole out the Ganges, or to blast the

<sup>1</sup> "I have seen," says an intelligent traveller, "the fellahs of Egypt, but I never saw any misery equal to that of the ryots of Bengal."

"The ryot, or cultivator, is in a worse condition than that of servitude to the money lender."—*Bengal Petition*, 1852.

"Even in ordinary seasons, and under ordinary circumstances, the ryots may often be seen fasting for days and nights for want of food."—*Calcutta Review*, No. 12.

The support of these people, so condemned to fast, costs two shillings a month, which incessant labour does not, under English rule, enable them to procure in the most fruitful region of the globe! Such has been our practical wisdom and righteousness. The condition of Madras was worse.

"When I entered the country of the Mahrattas, I thought myself in the midst of the simplicity and happiness of the golden age; . . . the people were cheerful, vigorous, and full of health," &c.—ANQUETIL DU PERRON, cited in *Gent. Mag.*, p. 376, 1762.

"On voit le long du Gange, entre Coholgonde et Monghyr, des femmes, des vieillards, des enfans sortir nus du creux des rochers, courant après les bateaux pour une poignée de riz, qui souvent leur est refusée."—*Impressions d'un Voyageur, Revue des deux Mondes*, 1842, tom. iii. p. 631.

Compare this with Holwell's account of what he saw before the English seized upon the country. "In truth it would be cruelty to molest this happy people, for in this district are the only vestiges of the beauty, purity, piety, regularity, and equity of the ancient Hindostan government. Here the property as well as the liberty of the people are inviolate. Here no robberies are heard of, either public or private." (Contrast Halliday's Report.) "One-third of the Company's territories is now a jungle, inhabited only by wild beasts."—*Lord Cornwallis's Despatch. Lord Hasting's Minute*, 1827, p. 157.

fertility of the rich mould through which its waters scatter abundance, as they roll in a thousand channels to the ocean. What he could do he has done—unchecked by humanity, and blind to the very evidence of his senses. But nature has been invincible. Over and over again, in the true spirit of despotism, he has cut down the tree that he might gather the fruit, and over and over again it has sprang up from the “flat field and the forsaken void,” with all its former magnificent exuberance, and saved him, on this side the grave at least, from the penalty due to so much wickedness.<sup>1</sup>

Azim Al Shah, the grandson of Aurungzebe, appointed Jaffier Khan, of a Tartar race, the Subahdar or Governor of Orissa and Bengal. Jaffier entrusted his son-in-law, Sujah Khan, with the government of Orissa. Disputes soon arose between them, in consequence of which Jaffier nominated his grandson, Suffrajee, the son of Sujah, his successor. Sujah, far from acquiescing in this state of things, procured letters patent from Delhi appointing him the successor of Jaffier, took possession of his capital, and increased his army. In 1729 he added Bahar to his dominions, and gave the government of that district to his cousin, Aliverdi Khan. Sujah died during the invasion of Nadir Shah. His son, Suffraje Khan,

1 “*Si genus humanum et mortalia temnitis arma,  
At sperate Deos memores fandi utque nefandi.*”



succeeded him. A struggle ensued between him and Aliverdi Khan, which ended in the defeat of Suffraje, who was slain in battle. The government of Aliverdi was embittered by successive invasions of the Mahrattas. He died, leaving three daughters married to three nephews, the sons of his brother ; of these Zaindee Hamet was the favourite of Aliverdi. He was assassinated during the life of Aliverdi, by two Affghan chiefs ; but the affection of Aliverdi<sup>1</sup> to him continued, and he associated his eldest son, Mirza Dowlah—a cruel and dissolute prince, who contrived, however, to conceal his vices from Aliverdi—in the government of his dominions. This took place in 1735. Mirza Mohammed then assumed the name of Chirajee Al Dowlah, which was corrupted by the Europeans into the name of Surajah Dowlah, which soon became tragically conspicuous in the history of Bengal. The designs of the two other sons-in-law of Aliverdi, Novagis and Sidi Hamet, against their nephew, were prevented by their death. Both were destroyed in a short interval by a fever which laid waste Bengal. Their fate, however, did not save Surajah from competition. The widow of

<sup>1</sup> “Under his reign peace, plenty, and good order everywhere prevailed.”—STEWART’S *Hist. of Bengal*, p. 430.

Contrast this with the following passage:—

“During the five years which followed the departure of Clive, the internal misgovernment of Bengal had reached such a pitch that it could go no farther.”

—MACAULAY.



Novagis supported the claims of the younger son of Zaindee Hamet, a child two years old, who had been adopted by her husband; and she was assisted by the concurrence of the son of Sidi Hamet, and the feelings of the people, to whom Surajah Dowlah was most deservedly obnoxious. Aliverdi Khan died at the moment when Drake, the English governor of Calcutta, had succeeded in vindicating himself against the charge of supporting the widow of Novagis. An envoy of Surajah Dowlah had been ignominiously driven from Calcutta, where the English were raising fortifications, as a formal declaration of war with France was every hour expected. Surajah, who had never forgiven the treatment of his envoy, ordered the English to raze their new works. He was then on his march to Pooneah, having the widow of Novagis in his power. Drake remonstrated against this command, and pointed out the danger to which an instant compliance with it must expose his countrymen. Surajah Dowlah, in a fit of raving passion, stopped short in his expedition to Pooneah, and turned his arms at once against Calcutta. Drake fled. The English, ill prepared for so sudden an attack, made an ineffectual resistance. Then ensued the capture of Calcutta, and the dreadful tragedy of the Black Hole. Of one hundred and forty-six human beings who had been shut up in that fatal prison in health and

vigour, twenty-three livid spectres the next morning staggered, with the aid of their guards, into the presence of the still exasperated tyrant.<sup>1</sup> Surajah, in the hope of discovering the treasures which he still supposed the English to possess, flung Holwell and two others of his countrymen into prison, but allowed the rest to escape. Some sought refuge in the neighbouring villages ; others bore the dreadful tidings of their sufferings, and of the fate of those who had perished, to Madras, where Clive and Admiral Watson had now arrived. There, though it was at once determined that the recovery of Calcutta was indispensable to the English interest, two months were spent in disputes about precedence and the distribution of prize money. These miserable controversies ended in the selection of Clive for the command of the land forces in the expedition. It set sail on the 8th of October, 1756. Nine hundred Europeans and fifteen hundred Sepoys were embarked on board five ships of the Royal Navy and five vessels of the Company, under the command of Admiral Watson, a man far too honest for such an associate as Clive, and who fell a victim to the horror with which the crimes he saw, but was not able to prevent, inspired him. By this time war had been formally proclaimed between France and England, and a French fleet was daily expected on

<sup>1</sup> This crime was committed without the knowledge of Surajah.

the coast of Coromandel. Meanwhile, disappointed in his hopes of plunder at Calcutta, the Nabob yielded to the entreaties of Aliverdi Khan's widow, and released Holwell with his companions from their captivity. On the 20th of December, the fleet reached the mouth of the Ganges. Clive was surprised by a sudden attack of Marichand, to whom Surajah Dowlah had entrusted the defence of Calcutta, and very narrowly escaped destruction. Calcutta was in the power of the English before the end of January. A dispute arose immediately between Clive and Watson, in which the latter carried his point by declaring that, if necessary, he would have recourse to direct violence in support of his obvious right. An expedition was immediately sent against Hoogly. The town was carried with little loss, and the prize money amounted to £150,000. The French had in Bengal at this time two hundred Europeans, and a considerable train of artillery. United to Surajah Dowlah, they might have enabled him to repel the English; but the council of Chander-nagore refused to make common cause with the Nabob, and agreed to a neutrality between the two nations—a compact which extricated the English from a situation full of peril and embarrassment. Surajah, irritated by the loss of Hoogly, advanced against Calcutta. At the approach of the Nabob, the English Sepoys deserted in great numbers.



The natives did not dare to supply Calcutta with provisions. There was an almost total want of baggage animals in the English camp. There was in all Calcutta but one horse, which had recently been imported from Madras. The flames of neighbouring villages announced the march of Surajah Dowlah on the town. Clive remained still, and attempted negociation. It took place without effect. During the continuance of it, Omichund, a merchant of prodigious opulence at Calcutta, seized an opportunity to warn the English deputies to be on their guard. The reader will see the gratitude with which this important service, not dwelt upon by English writers, was afterwards repaid. It saved the deputies and Clive from destruction. They fled to Clive instead of returning where captivity, and perhaps death, awaited them. Clive saw that his only chance of safety lay in a sudden and vigorous attack. An ordinary man would have avoided it; Clive did not hesitate. Surajah's army consisted of forty thousand men; Clive's of one thousand eight hundred and fifty Europeans, and eight hundred Sepoys. The attack was frustrated by a thick fog. Clive was obliged to retreat to his camp under the cannon of Fort William; but his purpose was answered. Terrified by the personal danger to which he had never been exposed before, Surajah proposed immediately to negotiate. A treaty was signed under the media-



tion of Omichund. By this the Nabob agreed to restore to the English their factories, and to give them an indemnity for so much of their loss by pillage as should be proved by the register book of his ministers. He allowed them to fortify Calcutta; to coin money. He exonerated their merchandise from all taxes and duties; permitted them to take possession of twenty-seven villages which had been granted to them since 1717; and confirmed them in all the privileges they had obtained since their first arrival in Bengal.

A few days afterwards an alliance, offensive and defensive, was concluded between Surajah and the English. The Nabob, little dreaming of his fast-approaching fate, after sending splendid presents to Clive (by whom he was so soon to be destroyed), pursued his march to Mushadarad. This danger passed, Clive immediately began to devise schemes for the capture of the French city of Chandernagore. It is true that to do so was in direct defiance of the recent compact, to which in all probability must be ascribed the salvation of whatever belonged to England in Bengal; but neither Clive nor his employers were to be scared by such considerations from any profitable enterprise. Surajah, terrified by the intelligence that had just reached him of the capture of Delhi by Ahmet Shah Abdallah and his Affghans, and desiring the support of the English

against the armed hordes which he expected soon to pour down upon his own territories, did not venture decisively to prohibit this invasion of a friendly power. Four English vessels, carrying troops, landed at Calcutta from Bombay, and Clive at once turned his arms against Chandernagore, which, after a short but vigorous resistance, was obliged to surrender. The Nabob saw the danger to which the loss of a power so necessary to balance that of the English exposed him. He received the French, who fled to him, with honour, and furnished them with arms, money, and provisions. They had taken refuge at Cossimbazar. Clive sent to Surajah, requiring him to expel them at once from Bengal, and demanding at the same time permission to attack Cossimbazar. The Nabob sent the fugitives to the frontiers of Bahar. Before their departure, Law, the French leader, an able and valiant officer, had an interview with the Nabob, in which he pointed out to that ruler the great danger to which he was exposed—as well from the intrigues of the English, as from the discontent of his own soldiers. He endeavoured to persuade Surajah that his only chance of safety was to rely on the French, and that to dismiss them must be his destruction. The Nabob hesitated; but, over persuaded by his counsellors, he resolved for the present to consent to the removal of the French forces. “If any new danger

should arise," said the victim of his own fears and English perfidy, "I will send for you." "Send for us!" replied the clear-sighted Frenchman; "be well assured that your highness has seen us for the last time." In less than six months from this prophecy the Nabob was a corpse. The ally with whom the English had so recently concluded an alliance, offensive and defensive, had been murdered with their connivance.

Through Omichund a treaty was made between the English and Meer Jaffier, a man of great wealth, abilities, and importance, who owed all his prosperity to Aliverdi Khan, the grandfather of Surajah. The assistance of the English was purchased at an enormous price. Vast sums were to be given to the forces by land and the forces by sea, and the individual members of the English government were to be paid for their treachery by a hire, the amount of which is almost incredible. English annals, whether in the West or in the East, contain few scenes of such disgusting and sordid turpitude. But this is not all: a fraud far less venial than those for which scores of their countrymen were put to death every three weeks in London was to be perpetrated by Clive, and the gentlemen who, with him, represented English good faith and honour in the East. At last, when all the other arrangements were complete, Omichund put in his claim. As



treachery and perjury were to be rewarded, his merits, though not quite on a level with those of his European associates—for he violated no treaty, and Surajah Dowlah, though his lawful ruler, was a cruel tyrant—were still considerable. Moreover, he had risked his life and fortune in carrying on the treaty between Jaffier and his allies. He demanded three per cent. on all the money in the treasury, and a fourth of all the jewels found in it. This appeared exorbitant to the English. But to offend Omichund at that moment would have been dangerous. Clive extricated himself and his colleagues from the difficulty by a very simple expedient. It was, in truth, as simple an expedient as that of the robber who breaks open the door he finds barred against him: he proposed that two treaties should be drawn up—one real, to which was to be annexed the signature of Jaffier; the other fictitious, to impose on Omichund. The stipulation in favour of Omichund was to be contained in this, and to be omitted in the first. This scheme was at once adopted. The spurious treaty was written on red paper. Fortunately, in one sense, for the honour of England, a sudden difficulty arose; it came from a man who was not connected with the Company. Admiral Watson, though he had given way in violating the agreement with France, refused to contaminate himself with this new infamy, which the brand and whip of



the executioner might be employed to stigmatise. He had signed the real treaty, and he refused to sign the second. Now it was well known to Omichund that Meer Jaffier had, with much wisdom, insisted particularly on the signature of Watson. But this difficulty was slight to those who had surmounted the first so easily. Recourse was had to an expedient equally obvious with that which led to the solution of the first. One of the members of council forged the Admiral's signature to the second treaty, and all obstacles to the murder and dethronement of their ally were now at an end. The battle of Plassey—determined upon in spite of desperate odds, by the advice of Coote, to which Clive, after some hours of reflection, though the majority of the council of war were against it, at length came over—established the British supremacy, and gave the Musnud to their ally. Omichund, when the fraud which those whom he had risked so much to support had practised upon him was revealed by Scrafton, who, at Clive's desire, informed him that the red treaty was mere waste paper, was caught by an attendant as he was falling palsy smitten to the earth. He remained for some hours in a state of stupor, and died shortly afterwards, a helpless idiot. In three or four days, Surajah Dowlah, who had fled from the field of battle, was brought, after suffering every kind of ignominy, into the presence of Jaffier, whom his allies

had placed upon his throne. Jaffier, when he saw before him, in helpless misery, the grandson of his benefactor on his knees, imploring his life with sobs, could not conceal his emotion. He shed tears. But his son, Meeran, a youth premature in depravity, insisted that Surajah should be put to death. For the present Jaffier ordered him to be removed. The next day the dead body of Surajah, placed on an elephant, and exposed to the sight of all the people, was carried to the tomb of Aliverdi Khan.

Such were the main events to which English ascendancy in the East owes its origin. It may be dated from the elevation of Jaffier to the Musnud of Bengal, with more propriety, I think, than to any subsequent revolution. Some parallel to the character of the main agent in these proceedings may be found in the history of Jugurtha—a man certainly not inferior to Clive in courage and resources (if these are to atone for the disregard of obligations that the criminal law of all nations is established to enforce), and though stained with far fouler and more numerous crimes, above the disgusting rapacity which seems to have been the chief though not the sole motive of the English leader. Moreover, Jugurtha had been from his infancy familiar with every shape of fraud and violence. His own life had long been in jeopardy from him whose children he destroyed, and he had never, perhaps, heard from the lips of his

barbarous teachers a single precept of honour or morality. Whereas Clive had passed his early life where bells had knolled to church; had been instructed in the doctrines of Christianity, and was, though poor, the son of a well-born English gentleman. Clive had now accomplished for England in Bengal what Dupleix was on the point of achieving for France in the Deccan, and he returned to Calcutta completely successful in a scheme which it required, perhaps, as much courage of one kind to conceive as it did courage of a lower and more ordinary stamp to execute. The price paid to the Company's servants for their assistance in this unhallowed work is quite without example.<sup>1</sup> The army of the ruler from whom it was extorted was on the brink of mutiny for want of pay. All was to be torn from the miserable cultivator of the soil. I can find no better words to describe the transaction than those employed by the greatest of Italian historians to paint the far more moderate exactions of the Portuguese. "If," says he, "a council of demons had been assembled to clothe robbery in the form of a contract, they would not find so many and such specious ways of executing their purpose as were every hour exemplified by the merchants of Ormuz." Clive's share in the rapine amounted to a sum of between two and three hundred thousand pounds.

<sup>1</sup> See APPENDIX.

<sup>2</sup> Bartoli, "Asia," lib. v. p. 433.



With his wonted and cynical disregard of probity, he told the House of Commons that when he considered that this sum—to not one rupee of which was he honestly entitled—was all he had taken, he was astonished at his own moderation; and, such is the tone of our boasted morality, he has in this age found more than one defender. In the meantime the Directors in England adopted a very foolish and intricate scheme of government for India, from which Clive was altogether excluded. No regard was paid to this arrangement, which, when the Directors heard of the battle of Plassey, was at once cancelled, and Clive was appointed governor of their possessions in Bengal. He used his power, which was absolute, for the benefit of his masters. He sent an expedition, under Colonel Forde, against the French in the north of the Carnatic, which was entirely successful.

Towards the conclusion of the year 1758 the English power in Bengal was exposed to very considerable danger. The eldest son of the Mogul Emperor, Aulumgeer the Second, called the Shazada, having obtained from his father the legal investiture of Bengal, Bahar, and Orissa, prepared to take possession of those territories. His right—supposing such a word to have any meaning in the transactions of the East India Company and the miserable creatures whom, under the name of nabobs and subahdars, they employed to pillage Hindos-



tan—was incontestable. The English had always put forward the name of the Emperor to sanction their proceedings, and pretended to act by virtue of his delegated authority. And Meer Jaffier was by no means in a condition to resist such an invasion. For this purpose he relied entirely upon his English allies, to gratify whose rapacity he had incurred the execrations of his people, and whose interests were now suddenly identified with his own. The prince was supported by the Nabob of Oude and Mohammed Koolee Khan, the Subahdar of Allahabad—a fertile district, the capital of which, placed at the meeting of the Ganges and the Jumna, was a most important city, and the favourite residence of Akbar. The English troops were at a distance, and had the invaders pushed their scheme rapidly, the whole province of Bahar must have fallen at once into their power. The opportunity was, however, lost. Clive, never restrained by any scruples, did not hesitate to take arms against the authority which up to that moment he had pretended to obey; in other words, to support a vassal in plain, downright, naked rebellion against his lawful sovereign. The English forces having joined those of Meer Jaffier at Moorshedabad, marched upon Patna, which Ramuarrain, an adherent of the Nabobs, was hardly able to defend. The allies of the Mogul, however, when there was every prospect that their arms would be

victorious, turned them against each other. The Subahdar of Oude seized upon Allahabad. Mohammed Koolee Khan immediately left the siege of Patna, in spite of the entreaties of the French commander, Law, who promised to put him in possession of the place within four days; was entrapped by the Subahdar of Oude, imprisoned, and put to death. When Clive and Meeran, the son of Jaffier, approached Patna, the siege was abandoned, and the heir of the Mogul wrote a letter of supplication to the English adventurer, imploring a scanty sum for his subsistence, and offering at once to leave the province. His terms were complied with, and Clive was thus extricated from dangers that at one time were complicated and menacing. He returned to Calcutta. Meer Jaffier, in a transport of gratitude, bestowed upon him, under the name of Jaghire, the whole rent, amounting to £30,000 a year, which the English were bound to pay for the territory they occupied round Calcutta.

Soon after these events Clive attacked a Dutch armament in the Hoogly, that had been sent from Java, on their way to the Dutch factory at Chinsurah. The Dutch, though numerically superior, were defeated by land and sea. The chiefs of their factory were obliged to submit to the terms dictated by the English; two of which were, that they should raise no fortifications, and levy only a limited number of

troops. After these exploits, Clive returned a second time to England. But he left behind him a scene by no means tranquil. The Emperor had been murdered during the Mahratta invasion, and the Shazada immediately assumed his father's state and title. He conferred the title of Vizier on the Nabob of Oude, and renewed his claims upon Bengal. Their joint forces assailed Patna, but were repelled by Colonel Caillaud, at the head of the English and Meer Jaffier's army. The Emperor then embraced a scheme of great daring—to march across the country, to surprise Moorshedabad, and take the Nabob prisoner. This enterprise Caillaud, by sending his troops down the river, had just time to baffle. Then the Emperor, aided by Law with a body of French troops, assailed Patna, and reduced it to great extremity. It was relieved by the heroic exertions of Captain Knox, who marched from Moorshedabad to Patna, under the blazing heat of a Bengal sun, in thirteen days, himself marching always on foot to encourage his soldiers. He surprised the besieging army, drove them from their works, and the siege was ended.

The Emperor withdrew, awaiting further succour. The Naib or Deputy-Governor of Pourania<sup>1</sup> marched to his assistance. To prevent the consequences of this alliance, the English army under Caillaud, and

<sup>1</sup> A.D. 1760.



the army of Meer Jaffier under Meeran, moved against him. Orders were given to Captain Knox to harass the Naib's march from Patna. Supported by a Rajah Shitabuz, who displayed the most conspicuous valour, Knox crossed the river, and with a handful of men defeated the Naib's army. Caillaud, notwithstanding the rainy season, was in full pursuit of the Naib when Meeran, with his attendants, was killed by lightning in his tent. All Caillaud's efforts were now requisite to prevent Meeran's army from dispersing, and he was obliged to march back with all possible speed to Patna.

Meanwhile, goaded by the implacable rapacity of the English, and by incessant vexations from a population drained of all its wealth, Jaffier soon became odious to his subjects. His troops were ill paid and mutinous; his revenues ill collected; and the English soon came to the resolution of deposing their creature from the dear-bought throne which his own weakness and their demands made it impossible he should fill on such conditions as they expected him to perform. The Musnud<sup>1</sup> was again set up to sale, and it was agreed that Meer Cossim, the son-in-law of Jaffier, should possess all solid authority, leaving to Jaffier the empty title of Nabob. Accordingly, Jaffier's palace was surrounded by English troops; and he, after declaring that they

<sup>1</sup> See APPENDIX.



were men whom no oaths could bind, and scornfully refusing to retain the pageant of an authority he was no longer allowed to possess, withdrew to Calcutta, where he resided for some time as a private man. Meer Cossim was of a character altogether different from the father-in-law whom he had thus supplanted. Daring, proud, and subtle, he keenly felt the degradation of his dependence. He perfectly well knew that the most sordid cupidity on the part of the English had been the sole cause of his elevation. He considered them, therefore, as a race of banditti, with whom it might be politic to dissemble, but whom, as the common enemies of all that binds mankind together, it was desirable, as soon as possible, to exterminate. He employed them at first, consistently with this plan, to aid him in reducing the rebellious rajahs, who had resisted the feeble authority of his predecessor, to obedience, and obtaining from them the arrears of tribute. The English assisted him in this project, and, as his auxiliaries, defeated, under Major Carnac, the Emperor at Gyah Maunpore. In this battle, Law, the French commander, was taken prisoner, and the English—among whose faults want of sympathy with courage is not to be numbered—by the respect they showed to the valour and conduct of their gallant enemy, acquired the just admiration of the natives.<sup>1</sup> Immediately

<sup>1</sup> See passage cited in the note to Mill's "India," vol. iii. p. 312.

after the battle, negotiations were entered into with the Emperor by Major Carnac, who in a short time attended him to Patna with all the pompous ceremonies of Eastern reverence to the pageant Ruler of the East. There an interview took place between the Emperor and Meer Cossim.<sup>1</sup> Meer Cossim paid the usual homage to the Emperor, and the Emperor conferred upon him the investiture of Nabob of Bengal, Bahar, and Orissa, on condition of a tribute of twenty-four lacs of rupees. The English thus obtained payment of the enormous sums due to themselves, but, with their wonted insolence, contrived at the same time to heap upon the ruler of their own appointment as much indignity as if it had been their special object to make his position intolerable, and the assertion of his independence and escape from their yoke requisite for his honour, and even for his peace of mind. Animated by deep resentment, he withdrew from Moorshedabad to a place called Mongheer, two hundred miles higher. There he raised fortifications, increased his army, and threw into prison, or put to death, every considerable person on whom he thought the English could rely. By strict and vigilant economy, he had defrayed the claims of the English, as well as the arrears due to his army. The President, by a minute

<sup>1</sup> Meer Cossim displayed no common abilities in the government of his dominions. He reduced all the rebellious Zemindars to obedience.

of the 22nd of May, 1762, declared that all Meer Cossim's obligations to the English were discharged. His revenue, established on a better footing, was rapidly increasing, when the insatiable avarice of the English once more flung everything into confusion. A considerable portion of the revenue of these Indian rulers arose from the transit duties levied upon goods carried along the roads and navigable rivers within the countries subject to their dominion. From these the East India Company had early obtained for themselves complete exoneration. This privilege<sup>1</sup> they turned into a fresh instrument of oppression, by lending their name to such of the natives as could pay the sum they required for its use, thereby ruining the native merchant and defrauding the Nabob's revenue. This use of their passport or dustuck enabled the English rapidly to engross the whole internal trade of the country. If any question was raised by the collector as to the fraudulent use of the Company's dustuck, he was seized upon by the English Sepoys, and flung into

<sup>1</sup> "A trade was carried on without payment of duties, in the prosecution of which infinite oppressions were committed. English agents, or gomastahs, not contented with injuring the people, trampled on the authority of government, binding and punishing the Nabob's officers whenever they presumed to interfere. This was the immediate cause of the war with Meer Cossim."—VERELST, *View of Bengal*, cited in note to MILL's *India*, vol. iii. p. 329.

"At this time many black merchants found it expedient to purchase the name of any young writer in the Company's service, by loans of money, and under this name harassed and oppressed the natives."—*Ibid.*



the prison of the nearest factory.<sup>1</sup> Not only did Meer Cossim present earnest remonstrances against this flagrant iniquity, but Mr. Hastings, in a letter to the President, also complained of the evil as a grievance that called loudly for redress, and which, if not removed, must render any endeavour to create a lasting harmony between the Nabob and the Company ineffectual. The President, Vansittart, endeavoured to check the evil, but as almost every member of his council derived large emoluments from the system, the existence of which they formally denied, he was alone in the attempt. What followed may enable us to judge of the oppression the people of India underwent, and of the crimes which the love of gain, the prospect of immunity, and entire indifference to the welfare of those among whom they were placed, could lead men, always vaunting of their superior morality, to commit. Meer Cossim, finding all hope

<sup>1</sup> See letter to the Nabob from one of his officers, dated Backergunze, May 25, 1762; cited in Mill's "India," vol. iii. p. 330.

"This place was of great trade, but is now brought to nothing by the following practices:—A gentleman sends a gomastah here to buy or sell; he immediately looks upon himself as sufficient to force every inhabitant either to buy his goods or to sell theirs; and on refusal, a flogging, or confinement, immediately ensues. This is not sufficient, . . . a second force is made use of, which is to engross the different branches of trade to themselves, and not to suffer any persons to buy or sell the articles they trade in. . . . These, and many oppressions which are daily practised, is the reason that this place grows destitute of inhabitants."—*Vansittart's Narrative*, vol. ii. p. 112.

"We are fully sensible that these innovations, and illegal traffic, laid the foundation of all the massacres, bloodshed, and confusion which have happened of late years."—*Letter of Directors, Report*, p. 193.



of relief desperate, agreed with Vansittart that a sum very much below that exacted from other traders should be paid by the English. But even Vansittart was not aware of the reckless avarice of his countrymen.<sup>1</sup> In spite of all the opposition he and Hastings could offer, even this arrangement was set aside at Calcutta, and it was resolved that, instead of the sum on which Vansittart had agreed, the English should pay a duty of two and a half per cent. on salt alone, and no other; and at the same time, that if any dispute arose it should be decided by the English heads of factories—that is, by the very persons who

<sup>1</sup> “As I am of opinion that an universal equality of trade in these articles—salt, betel-nut, and tobacco—would be the most beneficial footing it could stand upon, so I think a monopoly of it, in the hands of a few men of power, most cruel and oppressive. *The poor people of this country have not now a hope of redress.* I could set forth the unhappy condition of the people under the grievous monopoly, in the words of a letter I have received from one of the country merchants; but I think it needless, because it must occur sufficiently to every reader who has any feeling.”—*Governor Vansittart's Letter*, cited in MILL, vol. iii. p. 431.

After a panegyric on the courage of the English, the Mahometan historian proceeds to say, “If to so many military qualifications they knew how to join the arts of government—if they showed a concern for the circumstances of the husbandman and the gentleman, and exerted as much ingenuity and solicitude in relieving and easing the people of God as they do in whatever concerns their military affairs—no nation in the world would be preferable to them. But such is the little regard they show to the people of these kingdoms, and such their apathy and indifference for their welfare, that the people under their dominion groan everywhere, and are reduced to poverty and distress.” Then he breaks out in the style of the old Saxon chronicler, when he describes the oppression of the Normans—“Oh, God! come to the assistance of thine afflicted servants, and deliver them from the oppressions they suffer!”—SEER MUTAKHAREEN, cited in MILL, vol. iii. p. 296.

This is a refutation of the shocking argument that our government was not worse than that of the native rulers.

were most interested in the perpetration of the abuse. The Nabob, driven to despair, executed the resolution he had already declared it his intention to adopt rather than allow the utter ruin and unlimited plunder of his subjects. He did from necessity what an enlightened policy would have dictated—he abolished all transit duties, and left the internal trade of the country entirely free. The Council came to a resolution as thoroughly wicked and cruel as any that is to be found in the records even of the East India Company: they resolved that the Nabob had no right to abolish these transit duties, and that for the sake of a handful of strangers he was bound to continue, by a barbarous and oppressive policy, to wring an income from his native subjects, to reduce hundreds of them to starvation, and to deprive the rest—for it amounted to that—of the internal trade of their own country. Again Mr. Vansittart and Mr. Hastings remonstrated. “We cannot,” they said, “think the Nabob to blame, for although it may be for our interest to determine that we *should have all the trade in our hands*,<sup>1</sup> take every article of the produce of the country

<sup>1</sup> Most readers will agree with the remark extorted by truth from Mr. Wilson, a thorough-going advocate of the Company. “The narrow-sighted selfishness of commercial cupidity had rendered all the members of the Council, with the two honourable exceptions of Vansittart and Hastings, obstinately inaccessible to the plainest dictates of reason, justice, and policy.” These are the transactions of which England is called upon to be proud!

*from the ground at first hand, and afterwards sell it where we please* (is there anything worse in Alva's treatment of the Netherlands, or more oppressive in the Alcavala itself?), it is not to be expected that the Nabob will join with us in endeavouring to deprive every merchant of the country of the means of carrying on his business—as must undoubtedly be the case soon if they are to pay heavy duties, and we to remain on the footing before mentioned." Neither, they go on to say, would the Nabob long be able to pay the expense of collection. Such was the language, not of exalted philanthropy, or romantic virtue, or speculative wisdom, or even of rigid justice, but of men with hearts to feel, and understandings to appreciate, the wickedness and folly of the English government. It might as well have been addressed to the tigers in the jungle.

It was resolved to enforce this resolution, which, for consummate, barefaced, and deliberate depravity, is among the blackest of those that have ever excited the abhorrence of mankind, and which, though cancelled at home by the Directors—a body not inaccessible to public opinion—was formally restored at a general meeting of the proprietors of East India stock.

A great poet has said that Peace has her victories no less than War. It is equally true that she has her crimes—crimes always less excusable and



sometimes more appalling. The slaughters of war, the horrors perpetrated in a sudden invasion by soldiers trained to bloodshed and provoked by resistance, are less atrocious, and make the soul less sick, than the cold-blooded, selfish avarice which deliberately doomed thousands of innocent and helpless people to misery and famine.

Meer Cossim resisted, but in vain. War broke out.<sup>1</sup> After some checks the English arms obtained a decisive victory in the plain of Geriah, near Sootee. Patna was taken by storm soon afterwards. Then Meer Cossim fled—after murdering, with the aid of the German adventurer, Sumroo,<sup>2</sup> his English prisoners—to Sujah Al Dowlah, the Nabob of Oude. The sudden death of Major Adams, the most distinguished officer then in India, encouraged the Nabob to make common cause with Meer Cossim. A war with that ruler followed. Major Munro won, soon afterwards, the irretrievable battle of Buxar,<sup>3</sup> which completely broke down the power of this antagonist, and gave the English arms an undisputed ascendancy. After the battle the Great Mogul placed himself under our protection. Sujah Al

<sup>1</sup> The Directors themselves say the war was provoked by the cruelty of the English. "Yourselves aggressors in the war; and in a great measure brought on by an illicit trade."—*Letter*, Dec. 24, 1765.

<sup>2</sup> Sumroo executed his commands for the massacre with savage alacrity. Fullerton, the surgeon, alone was spared. Seventy-two were murdered.

<sup>3</sup> On the river Camnassary, about one hundred miles above Patna.



Dowlah endeavoured to negotiate. The English required the surrender of Meer Cossim and of Sumroo. Sujah Al Dowlah shrank from the infamy of betraying his guest; he offered to let him escape. Sumroo, he said, should be assassinated in the presence of any delegates the English might choose to witness the transaction. This, though a crime far less horrible than that which the Council had gravely determined to commit, and the proprietors of East India stock had obstinately sanctioned, startled the English nature. The negotiation was broken off, and Meer Cossim escaped to the Rohillas. Again the English sold the government of Bengal. They restored Meer Jaffier to the office from which he had been deprived, on conditions still more exorbitant and cruel.<sup>1</sup> He agreed to restore the oppressive transit duties for

<sup>1</sup> "Our displeasure at this proceeding," say the Directors, "is infinitely aggravated by the time and manner in which the demand was made. You first demand was for twenty lacs, for which you were content to demand an assignment. You soon after increase the demand to forty lacs, to which the Nabob is compelled to consent, on condition it shall stop there. You then increase the demand to fifty-three lacs, to which exorbitant sum it is raised by flinging in your outstanding debts; force the Nabob to make part payment, and press him with the utmost severity for further payment at the very period when the Company's affairs are in the most critical situation—before the battle of Buxar decided whether we should be extirpated out of the country."—*Letter*, dated December 24, 1765. *Reports of the House of Commons*, vol. iv. p. 125.

"We cannot consider the demand made for the army other than an act of the most violent oppression."—*Ibid.*

"There is such a want of humanity in the distresses thus wantonly heaped upon the Nabob that your conduct will be for ever a stain upon the nation, and is enough to raise up enemies to us in every part of Hindostan."—*Ibid.*, p. 126.

all except the English ; to confirm to them the grant of the revenues of Burdnam, Midnapore, and Chittagong ; to maintain twelve thousand horse and twelve thousand foot ; to pay to the Company thirty lacs of rupees on account of their losses and the expense of the war ; and to reimburse the personal losses of individuals. "All delicacy," says a director—he might have said all humanity—"was laid aside in the manner in which payment was obtained for this sum, of which seven-eighths was for losses sustained, or said to be sustained, in an illicit monopoly of the necessaries of life, carried on against the orders of the Company, and to the utter ruin of many thousands of the Indian merchants." The result of this wicked and scandalous bargain was, in the words of Clive—who seems to have found a strange pleasure in detailing these frightful acts of rapacity, and in laying bare the deformities of our conduct—that Meer Jaffier "was no more than a banker for the Company, who could draw upon him as often, and to as great an amount, as they pleased." The unrelenting manner in which this privilege was exercised, the incessant demands of an exhausted treasury, the misery of a depopulated country, once the garden of the East, broke even the hard heart of the Eastern despot.<sup>1</sup>

<sup>1</sup> Clive's speech, March 30, 1772. "Almon's Debates," vol. x, p. 14.

"Since my arrival here," writes Mr. Gray, resident at Maulda, January, 1764, "I have had an opportunity of seeing the villainous practices of the

He expired in the same year at Moorshedabad. But nothing could touch the merciless beings who swayed the destinies of Bengal. Again they set the dominion of the country to sale. Nizam Ul Dowlah was the purchaser. This was the fourth time in six years that a few English clerks and book-keepers had sold the richest territory in the East. £139,357 were on this occasion distributed among nine persons (not one farthing of which went to the public purse),<sup>1</sup> the countrymen of those who were hanged in droves for stealing five shillings in a dwelling-house, and

Calcutta gomastahs. . . . The Government have certainly too much reason to complain of their want of influence in this country, which is torn to pieces by a set of rascals who in Calcutta walk in rags, but when they are set out on gomastahships, lord it over the country, imprisoning the ryots and merchants," &c. Mr. Senior, from Cossimbuzar, March, 1764, says, "It would amaze you the number of complaints that daily come before me of the extravagancies committed by our agents and gomastahs all over the country."—VERELST, p. 49, cited in MILL, vol. iii. p. 356.

"Your Committee then examined Archibald Swinton. . . . He informed your Committee that he had frequent conversations with Meer Jaffier about the five lacs of rupees per month, stipulated to be paid by Meer Jaffier in October, 1764, and the other demands made on him by the Board, of which he frequently heard Meer Jaffier complain bitterly, and of all the demands made upon him at that time, which had not been stipulated in the treaty with the Company on his restoration, particularly the *increased demand* for restitution of losses, and the donation to the navy."—*Third Report*, 1772, cited *Ibid*.

<sup>1</sup> "We can only express our astonishment to hear that such things have been, as we cannot suggest to ourselves upon what principles the present Nabob could be expected, persuaded, or required to make good the losses sustained by individuals in carrying on—to their great imputation and the prejudice of the Company they served—a most unwarrantable and illicit, though to them most lucrative trade, in the articles of salt, betel-nut, and tobacco; and we are as much at a loss to comprehend how the services rendered to the new Nabob could deserve so exorbitant a consideration to be rendered to those who were only doing their duty."—*Report*, p. 190.



burnt alive, if they were women, for coining sixpence.<sup>1</sup>

Of course the transaction was in defiance of all treaties and all law, public or private, Asiatic or European; the Mogul, in whose name a ruler was appointed, not being even consulted. These proceedings excited much alarm at home. The Directors of the East India Company were fully determined—not that this unhallowed plunder should cease, but that it should flow in another channel. After a violent struggle at a fourth general court of proprietors of East India stock, reinforced by a number of shareholders created for the purpose of voting on this occasion, Lord Clive was requested to take upon him the office of President of Bengal, and the command of the military forces of the Company. He arrived at Madras on the 10th of April, 1765. There he received intelligence that all cause of fear from external enemies was at an end; that Meer Cossim was expelled; that Meer Jaffier was dead;

<sup>1</sup> 1765, December 24, the Directors say, “Your deliberations on the inland trade have laid open to us a scene of the most cruel oppression, which is indeed exhibited at one view of the 13th article of the Nabob’s complaints:—‘The poor of the country who used always to deal in salt, betel-nut, and tobacco, are now deprived of their daily bread by the trade of the Europeans, whereby no kind of advantage accrues to the Company, and the government’s revenues are greatly injured.’”—Cited in note, MILL, vol. iii. p. 364.

“The trading in salt, betel-nut, and tobacco having been one cause of the present disputes, I hope these articles will be restored to the Nabob, and your servants absolutely forbid to trade in them. This will be striking at the root of the evil.”—Cited *Ibid*, p. 365.



and that the Great Mogul had placed himself under the shadow of the English flag. Accordingly, he sent home a public despatch developing the views of aggrandisement which the actual state of things inspired, and a private letter to his agent, written on the same day, desiring that person to vest all the money belonging to him, and all that could be borrowed in his name, in East India stock. "We have sent a tradesman to rule a province, instead of a prætor," was the most bitter reproach to a personal enemy that the eloquence of Cicero could suggest. It is one that Clive deserved, at least as well as Verres;<sup>1</sup> and what the condition of a country exposed to the scourge of such indefatigable avarice must have been, it requires no great amount of sagacity to conjecture. His first act, accordingly, was to appropriate all the revenue of Bengal to the Company. He denied, indeed, to a Committee of the House of Commons, that when he wrote the letter to his private agent any such purpose was in his contemplation. To what degree of weight such an assertion, from such a man, at such a moment, is entitled, the reader will judge. Besides the enormous sum extorted from the Subahdar, Nizam Ul Dowlah,

<sup>1</sup> "It is not less worthy of remark that Clive and the other members of the Select Committee . . . formed a partnership before the beginning of June for buying up large quantities of salt; that all the purchases were made in the month of June, and that in nine months the parties realised a profit, including interest, of about forty-five per cent."—MILL, vol. iii. p. 412.

Mohammed Reza Khan, who had been made his minister, much against the Subahdar's will, had been forced to distribute thirty lacs of rupees among the servants of the Company. It was clearly proved that these presents had been extorted by menaces. The English said they were voluntary—the result of a mere spontaneous desire which seized upon a banker, of squandering the wealth it had been the labour of his life to accumulate among tyrannical strangers. However, as an actor in the flagitious scene observes, in words of fearful significance, “Perhaps the reader, who regards the increased power of the English, may consider this as a merely verbal dispute.” Lest the reader should consider the cruelty and avarice which I have endeavoured to describe as exaggerated, and impossible to have taken place under men whose limbs were bred, and whose minds were formed, in England, I shall quote the words of Clive himself on his arrival at Calcutta. “A very few days,” he says,<sup>1</sup> “are elapsed since our arrival, and yet, if we consider what has already come to our knowledge, we cannot hesitate a moment as to assuming the power that is in us of conducting, as a select committee, the affairs, both civil and military, of this establishment.

<sup>1</sup> “The vast fortunes acquired in the inland trade have been acquired by a scene of the most oppressive and tyrannical conduct that ever was known in any age or country.”—*Letter of Directors, Report*, p. 192. See APPENDIX, p. 531.

What do we hear of? What do we see, but anarchy, confusion, and, what is worse, general corruption?" Again he writes, "Upon my arrival, I am sorry I found your affairs in a situation nearly desperate—such as would have alarmed any set of men, whose sense of honour and duty to their employers [he says nothing of their duty to the miserable natives of Bengal] had not been estranged by the too eager pursuit of their own immediate advantages.<sup>1</sup> The sudden and, among many, the unwarrantable acquisition of riches,<sup>2</sup> had introduced luxury in every shape, and in its most pernicious excess. These two enormous evils went hand in hand through the Presidency, infecting almost every member of each department. . . .

"In a country where your arms are ever victorious, it is no wonder that the lust of riches should readily embrace the proffered means of its gratification, or that the instruments of your power should avail themselves of their authority, and proceed *even to extortion in cases where simple corruption could not keep pace with their rapacity.*"

<sup>1</sup> What is the description of a highwayman, or any thief, and of many murderers, but "one whose sense of duty has been estranged by the too eager pursuit of his own immediate advantages?"

<sup>2</sup> "Fortunes," says Clive, "of one hundred thousand pounds have been made in two years; and individuals very young in the service are returning home with a million and a half." Let the reader imagine, if he can, the amount of wickedness by which these fortunes were obtained, and the condition of the nation subject to the absolute rule of those by whom they were amassed!

In reply the Directors say :—"We have the strongest sense of the deplorable state to which our affairs were on the point of being reduced, from the corruption and rapacity of our servants, and the *universal depravity of manners* throughout the settlement."<sup>1</sup> This is the calm, deliberate expression of a most unscrupulous confidential servant, telling his masters what he knew, not from the report of others, but from the evidence of his own senses, echoed by their corroborating testimony; and the dominion thus gained and thus exercised has been boasted of by English writers in the nineteenth century.

Peace was soon concluded with Sujah Ul Dowlah, the Vizier. Driven to extremity, he placed himself in the hands of the English. It was agreed to treat with him. Clive deprecated in the very strongest terms, as insane, all idea of farther aggrandisement on the part of the East India Company. It was admitted that to defend the dominions of the Vizier would cost more than the amount of their revenue. To ruin Sujah Dowlah would have been to break down the strongest barrier between Bengal and the invasions of the Mahrattas and Affghans. To have collected the revenue of Sujah's country would have required all the force the East India Company could

<sup>1</sup> That is, among the rulers of a country as large and more populous than France.



command. All his territory was, therefore, restored to him, with the exception of Allahabad and Corah, which were delivered to the Emperor. The Company engaged to pay the Emperor twenty-six lacs of rupees yearly —£325,000. The territory ceded to him was valued at £250,000 yearly. The negotiation placed in the clearest light the enormous pillage by which, under the name of trade, the Company's servants had laid waste Bengal, Bahar, and Orissa. The Vizier was full of gratitude for the liberality of the English. He readily agreed to the payment of fifty lacs of rupees as a compensation for the expenditure of the war,—but on one point he was inflexible. Absolutely in the power of the English as he was, when he was required to permit the English to trade duty free and to build factories in his dominions, he positively refused to comply with the demand, and pointed out the evils and miseries such a concession must entail upon his subjects, in language so earnest and passionate, that Clive himself gave way, and the treaty was signed without any mention of trade or factories. Clive then proceeded to negotiate with the Emperor, to whom thirty lacs of tribute, which it had been solemnly agreed by the Company should be paid to him, were still due. This the plundered monarch was compelled entirely to give up, as well as jaghires, or land, to the annual value of five lacs and a half,

which had been guaranteed to him by the plighted faith of Englishmen, and which he was now told he must surrender.<sup>1</sup> He displayed great and natural indignation, but it was in vain. He was allowed to retain twenty-six lacs of rupees as his share of the public revenue, and was put in possession of Corah and Allahabad. The grant of the dewannee, or collection of revenues in Bengal, Bahar, and Orissa, to the Company, was wrung from him. The date of the phirmaun of the dewannee is 12th August, 1765, and to this important epoch most writers ascribe the beginning of our Indian empire.<sup>2</sup> At the same time the Emperor confirmed the Company in the possession of all the territory they occupied in every part of the Mogul empire.

And here for the present I gladly close a narrative, every page of which is stained with deeds of substantial rapine and systematic injustice that have never been surpassed, combined with proofs of the love of form, solemn imposture, and grimace, which even in the midst of oppression and ab-

<sup>1</sup> "By this treaty," says Clive, "the Company will be in possession of a clear yearly revenue, exempt from all charges, deductions, and expenses whatever, amounting to £1,700,000 sterling per annum."

<sup>2</sup> The Select Committee, in their consultation, Sept. 17, 1765, describe the Company as having come into the place of the country government by his Majesty's royal grant of the dewannee.—*Fourth Report of the Committee of the House of Commons*, 1763, cited in MILL, vol. iii. p. 409, note. A robber might as well describe himself as having taken the place of the owner of a jewel, by the proprietor's grant on the day he was forced by threats to give it up.

surdity, as our laws and manners to this hour show, has so deep and indelible a root in the Anglo-Saxon character.<sup>1</sup>

<sup>1</sup> "Que suit jamais à tel prix le service de la mercadence et de la trafic . . . la plus riche et plus belle partie du monde bouleversée, pour la négociation des perles et du poivre? Mécaniques victoires! Jamais l'ambition, jamais les inimitiez publiques ne poussèrent les hommes les uns contre les autres à si horribles hostilités et calamités si misérables."—MONTAIGNE, lib. iii. c. 6.

## APPENDIX TO CHAPTERS VI. &amp; VII.

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*Notes to explain the Government of Bengal from 1760 to 1765.*

Average of the civil and military charges of the Company for five years, from 1729 to 1734, £169,944; for the five years preceding 1756, £315,446.—*Reports of the House of Commons*, vol. iv. p. 72.

Jaghire is the grant from the Crown to individuals: Talooks, from the Nabob to individuals.—*Ibid.*, p. 95.

Duties or customs levied upon almost every article of life.—*Ibid.*, p. 95.

In 1763 Meer Jaffier promised a donation of twenty-five lacs to the army, and twelve lacs and a half to the navy, besides retribution money.—*Ibid.*, p. 103.

Court of Directors express their strongest disapprobation of these transactions. Notwithstanding the letter of the Court of Directors, Feb. 19, 1760, positively forbidding their servants to have any concern in the trade of salt, betel-nut, and tobacco, whatever government might be established, or whatever unforeseen circumstances arise, . . . it was determined by the said Select Committee to continue the exclusive society for a year.—*Ibid.*, p. 107.

Great expense made in keeping up the banks of the river. Deductions from the rent of Zemindars liable, who were besides assisted by government. Two years after the Company had the dewannee, the Zemindars, "on account of the racked state of the rents, being no longer able to bear the burden," the country was overflowed, and the city of Moorshedabad in the greatest danger.—*Ibid.*, p. 111.

The Select Committee say, "All arbitrary forces must be so many instruments of oppression in the hands of the collectors." They were anxious to hear what the supervisors could say, "as they more than suspected the result would lay open a most iniquitous scene of oppression and peculation."—*Ibid.*, p. 112.

Mr. Middleton writes:—"The agreement is never preserved between the collector and the servant; at the end of the year, whenever the collector knows



that the latter has made any gain, he surely seizes it. By these means all industry is checked, and all confidence destroyed; and neither farmer, labourer, nor collector having any trust in each other, it has made the whole a chain of rogues and plunderers.”—*Ibid.*, p. 114.

“That the multiplication of *mhatool* which has taken place since the Company’s accession to the *dewanee* has been attended with the most pernicious consequences to agriculture and the country in general, and that the continuance of such a system must inevitably end in its destruction. That these taxes, arbitrarily imposed and oppressively collected, through the rapacity and licentiousness of the English and their agents, have accelerated the general decline in agriculture and manufactures.”—*Letter from Mr. Rous. Ibid.*, p. 115.

The Company (letter dated 17th May, 1766) say, “We have permitted our servants to bid at the public sale of the Calcutta lands, but we could not conceive such an indulgence could ever be construed to admit servants employed in the collection of the revenues of the province to select out the most profitable lands for themselves, for such is the light in which the transaction appears to us; and it is one more striking proof of the general corruption with which all ranks are tainted.”—*Ibid.*, p. 166.

An English servant having agreed to accept five per cent. per month for money lent by him, he afterwards raised the same to fourteen per cent. per month, and enforced the payment thereof by acts of cruelty and oppression. The person so accused appointed his officers, &c., to be judges. “That another servant made frequent excursions into the province attended by Sepoys, in which excursions they seized and bound the ryots, and by falsely accusing them of theft, robbery, adultery, and other crimes, extorted from them vast sums of money, and vast quantities of other valuable effects; that whole villages had been plundered by them; and that, in particular, the substantial ryots were their customary prey, and that to possess ten ploughs was a crime or reason sufficient for being so plundered.”—*Report of the Council of Revenue at Moorshedabad*, vol. iv. p. 116.

“Is it then possible to suppose that the Court of Delhi, by conferring the privilege of trading free of customs, could mean an inland trade in the commodities of their own country, at that period unpractised and unthought of by the English, to the detriment of their revenues, and the ruin of their own merchants? We do not find such a construction was ever heard of till our own servants first invented it, and afterwards supported it by violence. . . . In short, the specious arguments used by those who pretended to set up a right to it, convince us that they did not want judgment, but virtue to withstand the temptation of suddenly amassing a great fortune, although acquired by means incompatible with the peace of the country, and their duty to the Company.”—*Ibid.*, p. 190.

*Report of Committee.—Sums given to the English as the price of their assistance to Meer Jaffier, and of his deposition in favour of Cossim.*

“Account of such sums as have been proved or acknowledged before the Committee to have been distributed by the Princes and other Natives of Bengal, from the year 1757 to the year 1766, both inclusive; distinguishing the principal times of the said distributions, and specifying the sums received by each person respectively:—

Revolution in favour of Meer Jaffier in 1757.

	Rupees	Rupees	£
Mr. Drake (Governor) . . . . .		280,000	31,500
Colonel Clive, as second in the Select Committee . . . . .	280,000		
Ditto as Commander-in-Chief . . . . .	200,000		
Ditto as a private donation . . . . .	1,600,000		
	<hr/>	2,080,000	234,000
Mr. Watts as a Member of the Committee . . . . .	240,000		
Ditto as a private donation . . . . .	800,000		
	<hr/>	1,040,000	117,000
Major Kilpatrick . . . . .		240,000	27,000
Ditto as a private donation . . . . .		300,000	33,750
Mr. Maningham . . . . .		240,000	27,000
Mr. Becher . . . . .		240,000	27,000
Six Members of Council, one lac each . . . . .		600,000	68,200
Mr. Walsh . . . . .		500,000	56,250
Mr. Scrafton . . . . .		200,000	22,500
Mr. Lushington . . . . .		50,000	5,625
Captain Grant . . . . .		100,000	11,250
Stipulation to the navy and army . . . . .			600,000
		<hr/>	<hr/>
			1,261,075

Memorandum: the sum of two lacs to Lord Clive, as Commander-in-Chief, must be deducted from this account, it being included in the donation to the army . . .

22,500

Lord Clive's jaghire was likewise obtained at this period.

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1,238,575

Revolution in favour of Cossim, 1760.

Mr. Sumner . . . . .		28,000
Mr. Holwell . . . . .	270,000	30,937
Mr. M'Guire . . . . .	180,000	20,625
Mr. Smyth . . . . .	134,000	15,354
Major Yorke . . . . .	134,000	15,354

	Rupees	£
General Caillaud . . . . .	200,000	22,916
Mr. Vansittart, 1762, received seven lacs; but the two lacs to General Caillaud are included; so that only five lacs must be accounted for here . . . . .	500,000	58,333
Mr. M'Gwire, 5,000 gold mohrs . . . . .	75,000	8,750
		<hr/> 200,269

Revolution in favour of Jaffier, 1763.

Stipulation to the army . . . . .	2,500,000	291,666
Ditto to the navy . . . . .	1,250,000	145,833
		<hr/> 437,499
Major Munro, in 1764, received from Bulwan Sing . . . . .		10,000
Ditto ditto from the Nabob . . . . .		3,000
The officers belonging to Major Munro's family, from ditto . . . . .		3,000
The army received from the merchants at Banaras . . . . .	400,000	46,666
		<hr/> 62,666

Nudjum ul Dowla's Accession, 1765.

Mr. Spencer . . . . .	200,000	23,333
Messieurs Playdell, Burdett, and Gray, one lac each . . . . .	300,000	35,000
Mr. Johnstone . . . . .	237,000	27,650
Mr. Leycester . . . . .	112,500	13,125
Mr. Senior . . . . .	172,500	20,125
Mr. Middleton . . . . .	122,500	14,291
Mr. Gideon Johnstone . . . . .	50,000	5,833
		<hr/> 139,357
General Carnac received from Bulwan Sing, in 1765 . . . . .	80,000	9,333
Ditto ditto from the king . . . . .	200,000	23,333
Lord Clive received from the Begum, in 1766 . . . . .	500,000	58,333
		<hr/> 90,999

Restitution—Jaffier, 1757.

East India Company . . . . .	1,200,000
Europeans . . . . .	600,000
Natives . . . . .	250,000
Armenians . . . . .	100,000
	<hr/> 2,150,000

## Cossim, 1760.

	Rupees	£
East India Company . . . . .		62,500

## Jaffier, 1763.

East India Company . . . . .		375,000
Europeans, Natives, &c. . . . .		600,000
		<hr/>
		975,000

## Peace with Suja ad Dowla.

East India Company . . . . .	5,000,000	583,333
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Total of Presents, £2,169,665.

Restitution, &c., £3,770,833.

Total amount, exclusive of Lord Clive's jaghire . . . £5,940,498."

—See MILL's *India*, vol. iii. p. 367.



## CHAPTER VIII.

FEW administrations have ever had greater difficulties to encounter than that of Lord Rockingham. The discontent provoked in America by the folly of their predecessors, was the object which imperiously demanded their attention. To enforce the Stamp Act by fire and sword, or to move its immediate repeal, was the alternative before them. Seldom has it happened to any government to be called upon to discharge a more critical and invidious duty. To reconcile the pride of the parent state with the fixed resolution of her colonies ; to uphold an unquestionable right ; to recede without disgrace from a position that was untenable ; to guide a corrupt and interested body into the track of patriotic virtue ; to combat at the same time popular pressure, hostile factions, and the indefatigable treachery of the sovereign, was a task no ordinary wisdom could fulfil, and which the greatest abilities would not be more than sufficient to accomplish.

The speech from the throne alluded in general

and cautious language to the condition of America.<sup>1</sup> Amendments to the Address were moved in both Houses, expressing resentment and indignation, and stigmatising in bitter language the conduct of the colonists.<sup>2</sup> Lord Temple, in the House of Lords, took the same view with his brother, Mr. Grenville, in the House of Commons, and thus clearly showed that between him and Mr. Pitt there was, on a subject of vital importance to the empire, a difference of opinion altogether irreconcilable. In the Lords the amendment was rejected; in the Commons Mr. Grenville was prevented by his friends from pushing it to a division. Both Houses adjourned till the 14th of January. In the interval, ministers—including Lord Rockingham, Lord Egremont, General Conway, Mr. Dowdeswell, the Earl of Dartmouth, and Mr. Yorke—had met to deliberate on the proper course to follow in America. When Parliament met again, the king addressed it in a speech from the throne delivered by himself. The debate in the Commons, on the address of thanks moved in answer to it, is one of the most memorable in our annals. Mr. Pitt followed Mr. Nugent,<sup>3</sup> who had urged

<sup>1</sup> "As matters of importance have lately occurred in some of my colonies in America, which will demand your most serious attention," &c.—*Parl. Hist.*, vol. xvi. p. 83.

<sup>2</sup> Dec. 10. Lord Chesterfield (Dec. 27, 1766,) says, with his usual clear sense, "I never saw a froward child mended by whipping."

<sup>3</sup> Afterwards Lord Clare. Mr. Burke used to call him "Old 'Remote from Liberty and Truth,' " which was the first line of an ode he had written.

violent measures. He expressed his disapprobation of Mr. Grenville's policy. "As to the last ministry," he said, "every capital measure they have taken has been entirely wrong." The present ministers, he continued, were men of fair character, and he always rejoiced when men of fair character engaged in his Majesty's service. "But," he continued, "I cannot give them my confidence. Pardon me, gentlemen, confidence is a plant of slow growth in an aged bosom : youth is the season of credulity. By comparing events with each other ; by reasoning from effect to causes, methinks I plainly discern the traces of an overruling influence." "There is a clause in the Act of Settlement<sup>1</sup> to oblige every minister to sign his name to the advice he offers to his sovereign. Would it were observed ! I have had the honour to serve the Crown, and if I could have submitted to influence, I might still have continued to serve ; but I would not be responsible for others. I have no local attachments. It is indifferent to me whether a man were rocked in his cradle on this or that side the Tweed. I sought for merit wherever it was to be found. It is my boast that I was the first minister who looked for it, and I found it in the mountains of the North. I called it forth, and drew into your service a hardy and intrepid race of men—men who, when left by your jealousy,

<sup>1</sup> It had been repealed in Queen Anne's time.

became a prey to the artifices of your enemies, and had gone nigh to have overturned the State in the war before last. These men, in the last war, were brought to combat on your side. They served with fidelity as they fought with valour, and conquered for you in every part of the world. Detested be the national reflections against them!—they are unjust, illiberal, and unmanly! When I ceased to serve his Majesty as a minister, it was not the country of the man by which I was moved, but the man of that country wanted wisdom, and *held principles incompatible with freedom.*” He then turned to the question of America. “When the resolution was taken in the House to tax America, I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequences, I would have entreated some kind hand to have laid me down on this floor to have borne my testimony against it. It is now an Act that has passed. I would speak with decency of every Act of this House, but I must beg the indulgence of the House to speak of it with freedom. I hope a day may soon be appointed to consider the state of the nation with respect to America. . . . a subject of greater importance than ever engaged the attention of the House, that subject only excepted when, near a century ago, it was a question whether you yourselves had to be bound or free.” Then, saying that



he would leave to another time the justice and policy and expediency of the Act, he said he would speak to the right. "If," he said, adverting to the speech of Mr. Nugent, "gentlemen consider it in the light of a point of honour, they leave all measures of right and wrong to follow a delusion that may lead them to destruction. It is my opinion that this kingdom has no right to lay a tax upon the colonies. At the same time I assert the authority of this kingdom over the colonies to be sovereign and supreme in every circumstance of government and legislation whatsoever. They are the subjects of this kingdom, equally entitled with yourselves to all the natural rights of mankind, and the peculiar privileges of Englishmen.

"Taxation is no part of the governing or legislative power. The taxes are a grant or voluntary gift of the Commons alone. In legislation the three estates of the realm are alike concerned, but the concurrence of the Peers and the Crown to a tax is only necessary to close with the form of a law. The gift and grant is of the Commons alone. In ancient days the Crown, the Barons, and the Clergy possessed the lands. In those days the Barons and the Clergy gave to the Crown; they gave and granted what was their own. At present, since the discovery of America, and other circumstances permitting, the Commons are become the proprietors of the land.

The Crown has divested itself of its great estates. The Church (God bless it!) has but a pittance. The property of the Lords compared with that of the Commons is as a drop of water in the ocean; and this House represents those Commons, the proprietors of the lands; and those proprietors virtually represent the rest of the inhabitants. When, therefore, in this House we give and grant, we give and grant what is our own. But in an American tax what do we do? We, your Majesty's Commons of Great Britain, give and grant to your Majesty—what? Our own property? No! We give and grant to your Majesty the property of your Majesty's Commons of America. It is an absurdity in terms.

“The distinction between legislation and taxation is essentially necessary to liberty. The Crown, the Peers, are equally legislative powers with the Commons. If taxation be a part of simple legislation, the Crown, the Peers, have rights in taxation as well as yourselves—rights which they will claim, which they will exercise, whenever the principle can be supported by power.

“There is an idea in some that the colonies are virtually represented in this House. I would fain know by whom an American is represented here. Is he represented by any knight of the shire for any county in this kingdom? Would to God that

respectable representation was augmented to a greater number ! Or will you tell him that he is represented by any representative of a borough—a borough which, perhaps, its own representative never saw ? This is what is called ‘the rotten part of the constitution.’ It cannot continue the century. If it does not drop, it must be amputated. The idea of a virtual representation of America in this House is the most contemptible idea that ever entered into the head of a man ; it does not deserve a serious refutation.

“The Commons of America, represented in their several assemblies, have ever been in possession of the exercise of this, their constitutional right, of giving and granting their own money. They would have been slaves if they had not enjoyed it. At the same time, this kingdom has the supreme governing and legislative power ; has always bound the colonies by her laws, by her regulations and restrictions in trade, in navigation, in manufactures, in everything, except that of taking their money out of their pockets without their consent. Here I would draw the line—

“‘Quos ultra citraque nequit consistere rectum.’”

Mr. Grenville then made an able and characteristic speech, insisting on the preambles of Acts of Parliaments, and the anomalies to be found in most

governments, and above all in our most slovenly legislation. The India Company ; the merchants of London (?) ; the stockholders ; several manufacturing towns, were taxed without being represented ; so was the palatinate of Chester, and the bishopric of Durham. He denied any distinction between internal and external taxes. He complained of the ingratitude of America, and of the encouragement held out to it by the House of Commons. In short, his doctrines were exactly those which a man, transferred from a court of law to the management of a vast empire, and applying the rules of English chicane to argue millions into servitude, might be expected to hold ; and such as England has seen at all times exemplified in her history, and which (whenever she allows men so constituted, with the minds of pedlars and pettifoggers, to have the principal share in her affairs) she will continue—at home and abroad, in the West as at the time of these events, in the East as in our own day—to behold, triumphant at the price of her honour, and of the blood and treasure of her children.

Mr. Pitt made a magnificent reply. The call for him rang loudly through the House, and no other speaker could obtain attention. I shall insert part of this noble specimen of English eloquence. After saying that he would follow Grenville through the whole field, and combat his arguments on



every point, he went on—"I have been charged with giving birth to sedition in America. They have spoken their sentiments with freedom against this unhappy Act, and that freedom has become their crime. Sorry I am to hear the liberty of speech in this House imputed as a crime. But the imputation shall not discourage me—it is a liberty I mean to exercise. No gentleman ought to be afraid to exercise it. It is a liberty by which the gentleman who calumniates it might have profited. He ought to have profited. He ought to have desisted from his project. The gentleman tells us America is obstinate—America is almost in open rebellion. I rejoice that America has resisted. Three millions of people so dead to all the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest. I come not here armed at all points with law cases and Acts of Parliament—with the Statute Book doubled down in dog's-ears—to defend the cause of liberty : if I had, I myself would have cited two cases of Chester and Durham. I would have cited them to have shown, that even under any arbitrary reigns, Parliaments were ashamed of taxing a people without their consent, and allowed them representatives. Why did the gentleman confine himself to Chester and Durham ? He might have taken a higher example in Wales—Wales, that never was taxed by

Parliament till it was incorporated. I would not debate a particular point of law with the gentleman. I know his abilities—I have been obliged to his diligent researches; but for the defence of liberty upon a general principle, upon a constitutional, it is a ground on which I stand firm—on which I dare meet any man. The gentleman tells us of many who are taxed and are not represented—the India Company, merchants, stockholders, manufacturers. Surely many of these are represented in other capacities—as owners of land or as freemen of boroughs. It is a misfortune that more are not actually represented. But they are all inhabitants, and as such are virtually represented—many have it in their option to be actually represented. They have connections with those that elect, and they have influence over them. The gentleman mentioned the stockholders. I hope he does not reckon the debts of the nation as a part of the national estate. Since the accession of King William many ministers—some of great, others of more moderate abilities—have taken the lead of Government.”

He then went through the list of them, bringing it down till he came to himself, giving a short sketch of the characters of each of them. “None of these,” he said, “thought or ever dreamed of robbing the colonies of their constitutional rights. That was reserved to mark an era of the late administration—

not that there were wanting some, when I had the honour to serve his Majesty, to propose to me to burn my fingers with an American Stamp Act. With the enemy at their back, with our bayonets at their breasts, in the day of their distress, perhaps the Americans would have submitted to the imposition ; but it would have been taking an ungenerous and unjust advantage. The gentleman boasts of his bounties to America ! Are not those bounties intended finally for the benefit of this kingdom ? If they are not, he has misapplied the national treasures. I am no courtier of America ; I stand up for this kingdom. I maintain that the Parliament has a right to bind, to restrain America. Our legislative power over the colonies is sovereign and supreme. When it ceases to be sovereign and supreme, I would advise every gentleman to sell his lands if he can, and embark for that country. When two countries are connected together like England and her colonies, without being incorporated, the one must necessarily govern : the greater must rule the less ; but so rule it as not to contradict the fundamental principles that are common to both.

“ If the gentleman does not understand the difference between internal and external taxes, I cannot help it ; but there is a plain distinction between taxes levied for the purpose of raising a revenue, and duties imposed for the regulations of trade, for the

accommodation of the subject ; although in the consequences, some revenue might incidentally arise from the latter.

“The gentleman asks, when were the colonies emancipated? but I desire to know when they were made slaves? But I dwell not upon words. When I had the honour of serving his Majesty I availed myself of the means of information which I derived from my office. I speak, therefore, from knowledge. My materials were good. I was at pains to collect, to digest, to consider them; and I will be bold to affirm that the profits to Great Britain from the trade of the colonies, through all its branches, is two millions a year. This is the fund that carried you triumphantly through the last war. The estates that were rented at £2,000 a year three-score years ago, are at £3,000 at present. Those estates sold then from fifteen to eighteen years’ purchase; the same may be now sold for thirty. You owe this to America. This is the price that America pays you for her protection. And shall a miserable financier come with a boast that he can fetch a pepper-corn into the Exchequer, to the loss of millions to the nation!—I dare not say how much higher these profits may be augmented! Omitting the immense increase of people by natural population in the northern colonies, and the migration from every part of Europe, I am convinced the



whole commercial system of America may be altered to advantage. You have prohibited where you ought to have encouraged, and you have encouraged where you ought to have prohibited. Improper restraints have been laid on the continent in favour of the islands. You have but two nations to trade with in America. Would you had twenty! Let Acts of Parliament in consequence of treaties remain; but let not an English minister become a custom-house officer for Spain, or for any foreign power. Much is wrong; much may be amended for the general good of the whole.

“A great deal has been said without doors of the power, of the strength of America. It is a topic that ought to be cautiously meddled with. In a good cause, on a sound bottom, this country can crush America to atoms. I know the valour of your troops; I know the skill of your officers. There is not a company of foot that has served in America out of which you may not pick a man of sufficient knowledge and experience to make a governor of a colony there. But on this ground—on the Stamp Act—when so many here will think it a crying injustice, I am one who will lift up my hands against it.

“In such a cause your success would be hazardous. America, if she fell, would fall like a strong man. She would embrace the pillars of the State

and pull down the constitution along with her. Is this your boasted peace—not to sheath the sword in its scabbard, but to sheath it in the bowels of your countrymen? Will you quarrel with yourselves now the whole house of Bourbon is united against you?—while France disturbs your fisheries in Newfoundland, embarrasses your slave trade to Africa, and withholds from your subjects in Canada their property stipulated by treaty?—while the ransom for the Manillas is denied by Spain, and its gallant conqueror basely traduced into a mean plunderer—a gentleman (Colonel Draper) whose noble and generous spirit would do honour to the proudest grandee of the country? The Americans have not acted in all things with prudence and temper. They have been wronged. They have been driven to madness by injustice. Will you punish them for the madness you have occasioned? Rather let prudence and temper come first from this side: I will undertake for America that she will follow the example. There are two lines in a ballad of Prior's, of a man's behaviour to his wife, so applicable to you and your colonies that I cannot help repeating them—

‘Be to her faults a little blind,  
Be to her virtues very kind.’

Upon the whole I will beg leave to tell the House what is really my opinion. It is that the Stamp

Act be repealed—absolutely, totally, and immediately. That the reason for the repeal be assigned—because it was founded on an erroneous principle. At the same time, let the sovereign authority of this country over the colonies be asserted in as strong terms as can possibly be devised, and be made to extend to every point of legislation whatsoever, that we may bind their trade, confine their manufactures, and exercise every power whatsoever, except that of taking their money out of their pockets without their consent.”

Few men have ever conferred a greater benefit on mankind than Mr. Pitt did by this celebrated speech, which ensured the success of a measure that strongly thwarted the prejudices of the English country gentlemen, and that George the Third at that very moment was employing every art of low intrigue to overthrow.<sup>1</sup> Mr. Conway, in reply to Mr. Pitt's statement as to secret influence, said, “He saw nothing of it; he felt nothing of it.” Notwithstanding this assertion, thirty-three dependants on the Crown voted against ministers in the division which followed, all of whom were allowed to retain their places: a striking contrast indeed to the measure insisted upon the year before by the king,

<sup>1</sup> “So we find, many years afterwards, the younger Pitt complaining of the intrigues of George the Third and the king's friends to support the slave trade.”  
—*Auckland Papers*, vol. iv.

when General Conway had been deprived, not only of office, but of his commission in the army, for giving a single vote on a great constitutional question against the Crown.

Dr. Franklin's examination at the bar of the House of Commons contains warnings that only judicial infatuation could overlook. I extract some of the answers he made to his enemies and his friends. He said, "In my opinion there is not gold and silver enough in the colonies to pay the Stamp duty for a year. The amount of the produce we export to Great Britain is trifling.<sup>1</sup> The balance between that sum and the imports from Great Britain is paid by that part of our produce which is carried to the West Indies, or sold in our own islands, or to the French, Dutch, Spaniards, and Danes, by whom it is carried to other colonies of America and different parts of Europe—Spain, Portugal, and Italy. In return we receive bills of exchange, money, or commodities that suit for remittance to Great Britain, which, together with the profit on the industry of our merchants and marines, and the freights of their ships, centres finally in Britain, to discharge the balance and pay for British manufactures." He then pointed out the mischief done to the Spanish trade. "It has," he said, "been greatly obstructed by new regulations, and

<sup>1</sup> £40,000. See "Parl. Hist.," vol. xvi. p. 136.



by the English men-of-war and cutters stationed all along the coast of America. It is not the case that America paid no part of the expense incurred for her protection. During the last war the colonies raised twenty-five thousand men, and spent many millions. Pennsylvania is taxed heavily. America will never pay the Stamp duty unless compelled by force of arms. Before the year 1763 the temper of America towards Great Britain was the best in the world. . . . They were governed by the expense of pen, ink, and paper ; they were led by a thread. They not only had a respect, but an affection for Great Britain. Now that is much altered. The authority of Parliament was allowed to be valid as to all, except as to internal taxation. They looked upon Parliament as the great bulwark and security of their liberties, and always spoke of it with the utmost veneration. Arbitrary ministers might possibly attempt to oppress them, but they relied on Parliament for redress. That is now lessened from a variety of causes—the restraints laid on their trade ; the prohibition of paper money, and a heavy impost by stamps ; the taking away trial by jury, and refusing to hear their humble petitions. They consider the resolutions of the Lords and Commons on the right to tax America unconstitutional and unjust.” In answer to a question, who was to judge in such a dispute—Great Britain or the colony—he

said, "Those that feel can best judge." When called to point out the difference between internal and external taxation, he said, "I think the difference is very great. The external tax is a duty laid on commodities imported; if the people do not choose to pay it, they may refuse them. But an internal tax is forced from the people. The Stamp Act says we shall have no commerce, make no exchange with each other, neither purchase, nor grant, nor recover debts, neither marry nor make our wills, unless we pay such sums; and thus it is intended to extort our money, or ruin us by the consequences of refusal. The difference between a duty on the importation of goods and an excise on their consumption is a material one. The sea is yours; you maintain by your fleets the safety of navigation, and keep it clear of pirates." Having pointed out the rapid increase of population in America, he was asked what was the number of men able to bear arms in America? But the significant question was objected to and withdrawn. He then dwelt on the fact that the Americans would be able to dispense with British commodities, and destroyed the fallacy that the late war had been undertaken for the benefit of America. "Before that war," he said, "the Americans were in perfect peace with the French and Indians; the troops, therefore, were not sent for their defence. The trade with the Indians,

though carried on in America, is not an American interest. The people of America are chiefly farmers and planters. The Indian trade is a British interest, carried on with British manufactures, for the profit of British merchants. The war, for the defence of a trade purely British, was really a British war."

These two questions ended his examination—

"What used to be the pride of the Americans?"

"To indulge in the fashions and manufactures of Great Britain."

"What is now their pride?"

"To wear their old clothes till they can make new ones."

Such were the arguments and facts which Grenville and his supporters, including the Duke of Bedford and Lord Temple in the House of Lords, imagined they could answer by declamations against rebellion. An interesting debate took place in the Lords. Lord Camden then addressed the Lords for the first time in a strain of constitutional and masculine eloquence, in which he commented with much severity on the servile doctrines that were now becoming popular, and a certain claim to royal favour. He spoke twice: once on the disturbances in America in consequence of the Stamp Act; a second time on the Declaratory Bill. He said, "I disclaim as a consequence of my reasoning that the colonies can claim an independence of this country,

or that they have a right to oppose acts of the legislature in a rebellious manner. In my own opinion the legislature had no right to make this law." He dwelt on the cases of the Isle of Man, Guernsey and Jersey, of Calais and Berwick, and of Wales and Ireland. "But, my Lords," he continued, "even if America have no exclusive right to tax themselves, I maintain it would be good policy to give it them. America feels she can do better without us than we can do without her." Lord Northington then spoke as an English lawyer of that day, in high office, without knowledge, without literature, without eloquence, wedded to chicane, and ignorant of all that a statesman ought to know, might be expected to speak. He was followed by Lord Mansfield; and it is impossible to deny that if precedents and history and Acts of Parliament are to make slaves of millions, he had the advantage over his antagonist. The cases of Chester and Durham, for many years of Guienne and Calais, were unanswerable. I will quote one passage to show the tone of his argument in favour of a right to tax millions on the other side of the Atlantic, that the reader may see how closely the absurdities of English law had twined themselves round intellects of the highest order:—"I find in the journals of the House of Commons, that upon a bill for a free fishery being brought into that



House, 19th James I., a doubt was thrown out whether Parliament had anything to do in America. This doubt was immediately answered, I believe, by Coke—the province is held of the manor of *East Greenwich*, and granted by charter under the Great Seal. This was thought a sufficient answer, and the bill passed the House. Before I conclude,” he said, “I will take the liberty of laying down one proposition. When the supreme power abdicates, the government is dissolved. Take care, my Lords, you do not abdicate your authority. In such an event you would leave the worthy and innocent, as well as the unworthy and guilty, involved in the same confusion and ruin.”

The result was, that a bill confirming and ascertaining the power of the legislature of Great Britain over her colonies, in all cases whatever, and without any distinction as to taxation, was put and carried without a division, and that the bill for the repeal of the Stamp Act, brought forward by General Conway, passed the House of Commons, in spite of the vehement opposition of Grenville, by a majority of two hundred and seventy-five to one hundred and sixty-seven.<sup>1</sup> Mr.

<sup>1</sup> “The minority included all the Scotch, all the Tories, and a dozen of the king’s household.”—*Rockingham Papers*, vol. i. p. 276—297.

“They lost a question in the House of Lords to enforce the execution of the Stamp Act, ‘vi et armis,’ by three—sixty-three to sixty.”—*Chesterfield’s Letters*, p. 4.

Burke has left us an account of the rapturous enthusiasm with which this result was hailed by the crowd of merchants and tradesmen, who thronged the streets, the staircases, the lobby of the House of Commons, awaiting the issue on which their salvation or their ruin was to depend. Shouts of applause welcomed Conway as he descended. Grenville was received with execrations, which his haughty, unyielding nature could not brook. He caught one man who hissed him by the collar. Fortunately the man had the good-humour of victory. "If I may not hiss," said he, "at least I may laugh," and laughed in his assailant's face, thus giving a comic result to what might have ended in a fearful tragedy. Two hundred members of the Commons attended the Bill in the House of Lords, where it passed by a majority of thirty-four. In three days after the royal assent was given, and the dismemberment of the empire was for the moment respited. Mr. Burke has thus described the effect of these proceedings:—"The distractions of the British empire were composed by the repeal of the American Stamp Act, but the constitutional superiority was preserved by the Act for securing the dependence of the colonies. The trade of America was set free from injudicious and ruinous imposition; its revenue was improved and settled upon a rational foundation; its commerce extended with foreign countries; while all the advan-

tages were secured to Great Britain by the Act for repealing certain duties, and encouraging, regulating, and securing the trade of this kingdom and the British dominions in America.”

That the repeal of the Stamp Act was accompanied by the Declaratory Act, asserting the very right which had been practically abandoned, can hardly be imputed as a fault to the administration of the day. It seldom happens that any measure can be carried on a broad principle in England. Time-servers and bigots, the sincere and dishonest supporters of what is mischievous, must be bargained with, and are generally strong enough to insist upon a compromise instead of an absolute surrender. Even the improvements in our municipal law,<sup>1</sup> however ardently desired by the enlightened, and loudly called for by the imperious interests of society, are almost invariably carried in a fragmentary and imperfect manner. Much more, then, on an occasion like the present—when the landed interest had still so overwhelming an ascendancy in both Houses of Parliament, when honest prejudices were so powerful, and the king was employing all the low craft of his crooked policy to undermine his ministers<sup>2</sup>—was it

<sup>1</sup> *E.g.*, the Registration Bill, A.D. 1863; planned by Cromwell. See Anderson's "History of Commerce," vol. ii. p. 100.

<sup>2</sup> "Lord Rockingham repealed the Stamp Act, and from that hour the king determined to remove him."—*Nicholl's Anecdotes*.

"Though," says Lord Rockingham, "many in the House of Commons will

necessary for the advocates of conciliation to make a bargain with their supporters, and to sacrifice strict logic to strong necessity. Lord Rockingham remonstrated with the treacherous king on the conduct which he encouraged, but in vain. Prevarication<sup>1</sup> and evasive answers were all he could extort from the pious sovereign, ready to plunge the empire into a civil war rather than abandon the fixed purpose of his heart—an authority independent of all constitutional control. The king did not omit on this occasion to practise his favourite artifice of setting up mock negotiations with the opposition leaders—a trick of which Mr. Grenville was more than once the dupe. Lord Strange, one of the placemen who opposed the repeal of the Stamp Act, after an interview with the king, declared in all companies that the king had told him he was against the bill. In consequence of this<sup>2</sup> Lord Rockingham sought an interview with the king, and obtained from him three

be against us, and particularly those who go by the name of Lord Bute's friends, I am convinced the House will repeal the Stamp Act by a great majority."—*Rockingham Papers*, vol. i. p. 288.

Lord Mountstuart, Lord George Sackville, Lord Strange, Mr. Dyson, and several grooms of the bedchamber, voted in the minority.

<sup>1</sup> "Sir Lawrence Dundas told the Duke of Bedford that a person he did not name, whom I suppose to be Colonel Græme, said that he never saw the king so affected as he was at the last great majority of the House of Commons (for the repeal of the Stamp Act), and that he believed he wished for nothing more than to be able to change his administration."—*Bedford Correspondence*, vol. ii. p. 327. Yet the king's next letter was, "Lord Rockingham, I am much pleased the appearance was so good to-day."—*Rockingham Papers*, vol. i. p. 276.

<sup>2</sup> *Ibid.*, vol. i. p. 300.



written denials of Lord Strange's assertion, which assertion, if evidence short of demonstration can prove anything, was literally true. Jeremiah Dyson<sup>1</sup> was one of the most active of the king's agents in all this foul, incessant, and disgusting treachery. Professing republican opinions, he had secretly sold himself to Lord Bute. George the Third forced him upon Lord Rockingham, as a tool whom he might use for any purpose. Thus the faction of the Court tainted the very life-blood of the constitution, and deprived the Crown itself of all strength and dignity. A letter<sup>2</sup> from the Russian minister to his Court was intercepted, urging his mistress not to conclude too hastily with ministers who could not maintain their ground. This the king denied, and assured Lord Rockingham they had his confidence—having at that very moment determined on their speedy overthrow.

<sup>1</sup> He was the son of a tailor. Mungo was his nickname, from a scene in the *Padlock*, where the black servant says, "What you give me to be honest, Massa?" He was made Secretary of the Treasury, and Cofferer of the Household; and an attempt was made to put him on the Irish Pension List, 1771: defeated by Flood, who said, "Who does not know Jeremiah Dyson?" &c.

<sup>2</sup> The incorrigible falsehood of George the Third is placed in a strong light by a letter on this very incident, dated April 25, 1766, to Lord Rockingham ("Rockingham Papers," p. 322):—

"*The KING to the MARQUIS OF ROCKINGHAM.*

"April 25th, 1766.

"Lord Rockingham,— . . . You will laugh when you read the deciphered letter I have just seen of Bandouin, wherein he talks of a fresh change of the ministry: I hope it is more from want of sense than ill intention that he writes such gross falsehoods to his Court.

"GEORGE R.

"Richmond Lodge, two minutes past five, P.M."

Conscious of these intrigues, ministers employed the time left to them in passing measures of unquestionable value to the public. The mischievous part of the Cider Act was repealed, and private houses relieved from the jurisdiction of the excise. The personal liberty of the subject was confirmed by a resolution against general warrants. The lawful secrets of private and confidential intercourse were made inviolable by the resolution against the seizure of papers; and the practice of cashiering military officers for their votes in Parliament received its death-wound during this administration. During the session of Parliament the Duke of Grafton had resigned the Seals, which were given to the Duke of Richmond. After the session the Lord Chancellor Northington added another instance to the many proofs of utter disregard of probity and honour which the annals of that time contain, by betraying his colleagues. He was perfectly aware of the feeling of the king towards them, and suddenly announced to the king himself that he should no longer attend the deliberations of the cabinet. It is characteristic of the man, and of the habits engendered by his profession, that the pretext he selected for his quarrel with his colleagues was an attempt on the part of ministers to apply a remedy to the cruel effects which the abominable proclamation complained of, as I have said, by Lord Mansfield, had

brought about in Canada. This attempt Lord Northington of course characterised as theoretical, speculative, and chimerical, being well content that Canada or any other country should undergo any amount of suffering and oppression if he could compass any of his own sordid purposes. To the actual state of Canada—to the terrible oppression under which it was groaning—to the duty of the English, if not to promote the happiness, at least not to perpetuate the misery, of a province they had undertaken to govern—this genuine representative of his age and class makes not the most remote allusion. He suggests no better remedy than the measure he condemns, and, for the sake of promoting a court intrigue, abandons—against the elements of humanity and justice, without the least compunction—thousands of human creatures to a state of distress which it required all the selfishness and all the ignorance even of English legislature in that day where other countries were concerned, to inflict upon their dependencies. He was immediately employed by the king, who now formally announced to Lord Rockingham that he intended to change his ministers—to set on foot a negociation with their successors. Lord Northington lost no time in opening, through the Duke of Grafton and Mr. Calcraft, a negociation with Mr. Pitt. The Duke of Grafton had declared in the House of Lords his readiness to



serve under Mr. Pitt, even in the most subordinate situation.

During all this time Lord Bute's nocturnal visits to the Princess Dowager were as incessant as, in spite of all his contrivances, they were notorious.<sup>1</sup> Nobody who examines the evidence, much strengthened by very recent publications<sup>2</sup> on this subject, can doubt that the king was entirely governed by his counsels.

The object of the court was, however, but half accomplished so long as Mr. Pitt retained his influence or reputation with the people of England. "The greatest weight," says Mr. Burke, "of popular opinion and party connection were then with the Duke of Newcastle and Mr. Pitt; neither of them held their importance by the new tenure of the court. . . . Mr. Pitt was first attacked. Not satisfied with removing him from power, they endeavoured to undermine his character." Over the first insidious efforts of the Crown Mr. Pitt's popularity had come out triumphant. The shock had been rude; but the English, with their wonted indulgence and generosity on such occasions, had consented to overlook a melancholy proof of human weakness in the statesman who had raised England at once from an abyss of dishonour and corruption to an unexampled height of glory. A second attempt was resolved

<sup>1</sup> See Almon's "Anecdotes," vol. ii. p. 22.

<sup>2</sup> Lord Chesterfield's Works, vol. v., suppressed passages, *passim*.



upon, and unhappily for Mr. Pitt, unhappily for all public men, unhappily for England, it was successful. Entrapped by Lord Bute and his pupil, Mr. Pitt consented to leave the House of Commons—where his voice, so often heard in times of doubt and danger, was the surest signal of hope to all lovers of their country—and to become a member of the body which was designated by its most distinguished member at that time as “a hospital of incurables,” and in which the eloquence that had wielded so often an assembly not quite destitute of the popular fibre fell dead, and without an echo, on a listless and interested group of titled squires, court-frequenting prelates, foolish generals, frivolous men of fashion, and insipid lords of the bedchamber. Again he mistook the way to technical rank for the way to renown; and this time the error was irretrievable. The court had gained its end. From that fatal hour the most formidable of its opponents was as insignificant as any justice of the peace in the island. Mr. Pitt’s peerage was a moral attainder. Bad men spoke of his conduct with delight; good men with compassion; all men with astonishment. If a ray of departing glory still lingered over that name which had been once a spell to paralyse the enemies of England, it was the last faint light of a luminary far advanced in its decline, and soon about to disappear for ever. Great abilities, as Lord Chesterfield said, had been duped by low

cunning. Pitt had lost the confidence of the people ; he had sacrificed all that made him terrible to the court and its advisers. The great commoner was no more : he had sunk into a peer ; he had stooped a second time to a lure that even a sober view of his own interest might have taught him to disdain, and preferred a pitiful title—that had been, in his own experience, the reward often bestowed on the harlot and the parasite—to the veneration of the great body of his countrymen, rarely conferred unless on genuine merit.<sup>1</sup> The Foxes, the Jenkinsons, the Rigbys rejoiced that a great man had lowered himself to their level. But the work was done. The name that passed that of all other Englishmen in glory was sullied—the tree was poisoned at the root. All trust in public men was shaken, and the traitorous purpose of the sovereign against the commonwealth was consummated. There was more joy in St. James's over the fall of this single patriot, than over all the herd of hirelings who needed no temptation, but simply sold themselves for what they were worth in 1763, to mangle the honour and betray the nearest and dearest interests of the nation.<sup>2</sup>

<sup>1</sup> "He foams a Patriot to subside a Peer," is a fragment of Pope septennially applicable. That Mr. Pitt's career would have been an exception to so general a rule, that the "*exemplar honesti*" he once exhibited would have been undefaced, might have been expected—"Diis aliter visum."

<sup>2</sup> Whether the advocates of political adventurers consider Lord Chesterfield a "vulgar writer," or one likely to follow the opinions of the mob, I cannot tell ; but that he was not a romantic patriot, or disposed to place the standard of

Such was the fitting prelude to an administration<sup>1</sup> which, by national disaster and private dishonour, brought about the purpose that George the Third had been educated to pursue, and which, by the un-

public virtue at a very lofty height, is certain. Neither was he altogether without experience, or a contemptible judge of public opinion, or of what promoted a public man's real interest. He writes—"Mr. Pitt is now looked upon, with the general joy of his enemies and sorrow of his friends, as politically buried in the Earldom of Chatham. He is undoubtedly fallen into the snare that was laid for him by a man of much more cunning, though much less abilities, than himself; and without inspiration I will venture to prophesy that he will have perfect 'otium cum dignitate.'"—(Suppressed passage) *Chesterfield Letters*, vol. v. p. 473.

"Mr. Pitt, who had *carte blanche* given him, named every one of them: but what would you think he named himself for? Lord Privy Seal and (what will astonish you, *as it does every mortal here*) Earl of Chatham! The joke here is, that he has had a fall up stairs, and has done himself so much hurt that he will never be able to stand on his legs again. Everybody is puzzled how to account for this step (here follows a suppressed passage, vol. v. p. 473); and in my mind it can have but two causes: either he means to retire from business, or he has been the dupe of Lord Bute *and a great lady*. The latter seems to me, of the two, the most probable; and it would not be the first time that great abilities have been duped by low cunning. But be it what it will, he is now certainly only Earl of Chatham, and no longer Mr. Pitt in any respect whatever. *Such an event, I believe, was never read or heard of*. To withdraw in the fulness of his power, and in the utmost gratification of his ambition, from the House of Commons (which procured him his power, and could alone ensure it to him), and to go into that hospital of incurables, the House of Lords, is a measure so unaccountable, that nothing but proof positive could have made me believe it; but so it is."—*Ibid.*, vol. iv. p. 427.

Walpole's language is still more scornful. That it was a court scheme is abundantly evident. "The thing wished at court," says (single speech) Hamilton, "is, that Mr. Pitt should go into the House of Lords."—*Grenville Papers*, vol. ii. p. 386.

How George the Third hated Pitt in his heart appears in a letter written when he was angry with his son. To this testimony of the opinion of men of the world and politicians, let me add that of a poet and a recluse in a college at Cambridge: "Oh that most foolish of men!" exclaims Gray, speaking of Pitt's peerage.

<sup>1</sup> "When this ministry shall be settled, it will be the sixth in six years."—*Chesterfield Letters*, vol. v. p. 443.

scrupulous sacrifice of the truth and probity that in private as in public life are the sole guarantees of reputation and security, he finally was able in a great degree to accomplish. Begun in treachery, it ended in disgrace. An indelible blemish on the name of our most illustrious statesman, the loss of America, the danger of Ireland, hostile fleets (as in 1690) insulting our coasts, and sweeping over the British Channel unopposed, the triumph of a profligate libeller over all the authority of the State, London exposed to the fury of a savage populace, furious riots punished by promiscuous carnage,<sup>1</sup>—these were the results of the kingcraft of George the Third; of his attempts to make corruption—a more formidable enemy to all that is good and great than direct violence—do the work of an exploded and obsolete prerogative; and of his encroachments on the constitution which his family was exalted, from hopeless insignificance and vegetation in the sands of Hanover, to the throne of this great and free country for no other purpose than to preserve.

<sup>1</sup> See letters and reflections on the execution of the rioters in 1780—Burke's Works, vol. v. p. 578, last edition. "Great slaughter attended the suppression of the tumults. . . . The scene in Surrey would have affected the hardest heart that ever was in a human breast."





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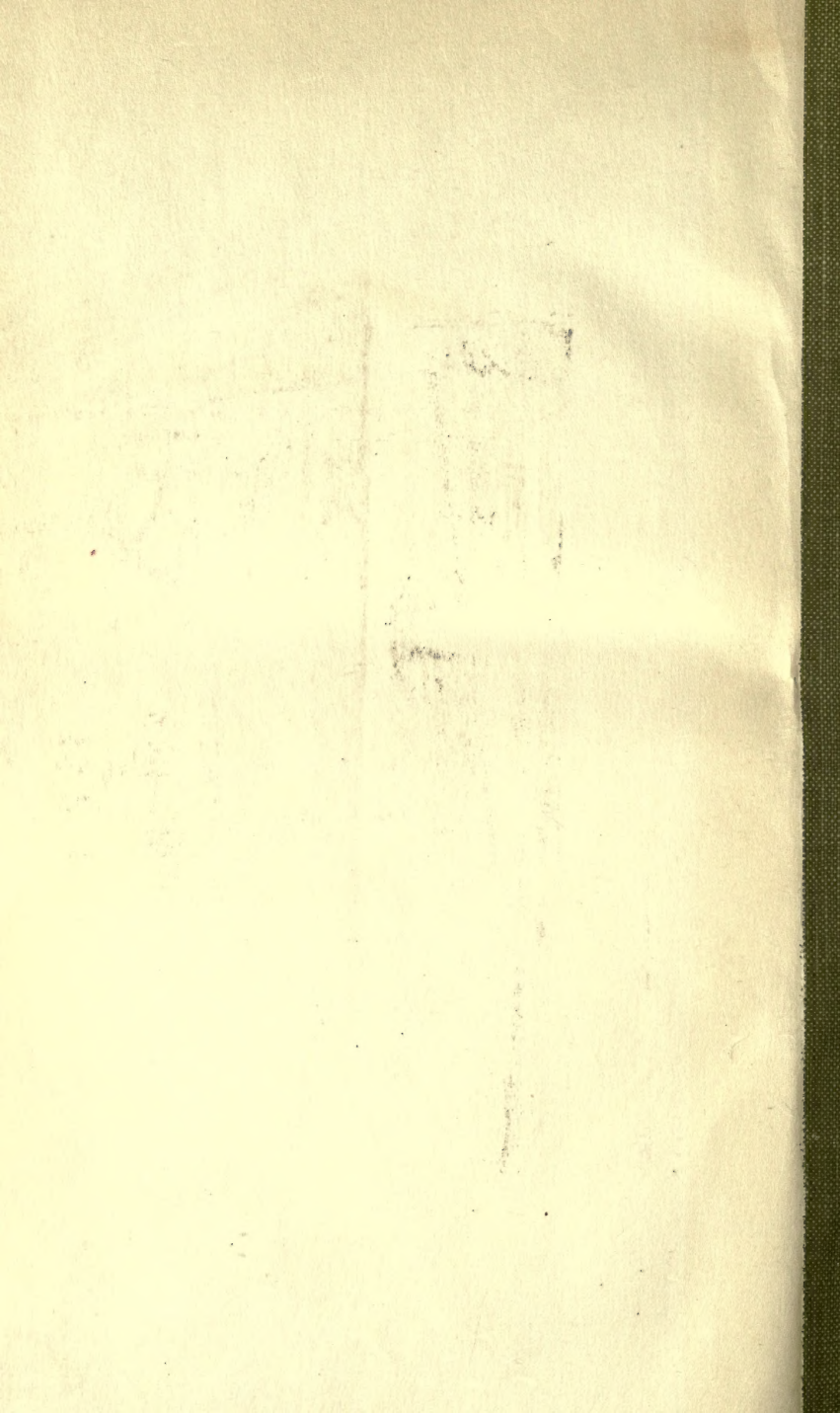
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